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No. 49] NEW DELHI, NOVEMBER 29-DECEMBER 5, 2009, SATURDAY/AGRAHAYANA 8-AGRAHAYANA 14, 1931

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 18 नवम्बर, 2009

का.आ 3249.—केन्द्रीय सरकार (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम 4 के अनुसरण में, केन्द्रीय नारकोटिक ब्यूरो, ग्वालियर के निम्नलिखित कार्यालयों को, जिनके 80 प्रतिशत कर्मचारीवृंद ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:-

1. जिला अफीम अधिकारी नीमच, प्रथम खंड
2. जिला अफीम अधिकारी मंदसौर, तृतीय खंड
3. जिला अफीम अधिकारी चित्तौड़गढ़, प्रथम खंड
4. जिला अफीम अधिकारी चित्तौड़गढ़, तृतीय खंड
5. जिला अफीम अधिकारी भीलवाड़ा, राजस्थान
6. जिला अफीम अधिकारी झालावाड़ा, राजस्थान
7. जिला अफीम अधिकारी कोटा, राजस्थान
8. जिला अफीम अधिकारी बाराबंकी, उत्तरप्रदेश

4233 GI/2009

9. जिला अफीम अधिकारी मंदसौर, प्रथम खंड
10. जिला अफीम अधिकारी प्रतापगढ़, राजस्थान
11. जिला अफीम अधिकारी गरीट, मध्य प्रदेश
12. जिला अफीम अधिकारी मंदसौर, द्वितीय खंड
13. जिला अफीम अधिकारी नीमच, द्वितीय खंड
14. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ सिंगोली, मध्य प्रदेश
15. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ गरीट, जिला मंदसौर
16. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ जावरा, मध्य प्रदेश
17. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ चित्तौड़गढ़, राजस्थान
18. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ प्रतापगढ़, राजस्थान
19. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ उज्जैन, मध्य प्रदेश

(7673)

20. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ	नई दिल्ली	15. Superintendent (Preventive) & Intelligence cell	Garoth, Distt Mandsaur
21. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ	फैजाबाद, उत्तर प्रदेश	16. Superintendent (Preventive) & Intelligence cell	Zawra, MP
22. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ	भवानीमण्डी, राजस्थान	17. Superintendent (Preventive) & Intelligence cell	Chittorgarh, Rajasthan
23. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ	रतलाम, मध्य प्रदेश	18. Superintendent (Preventive) & Intelligence cell	Partapgarh, Rajasthan
24. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ	गाजीपुर, उत्तर प्रदेश	19. Superintendent (Preventive) & Intelligence cell	Ujjain, MP
25. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ	इंदौर, मध्य प्रदेश	20. Superintendent (Preventive) & Intelligence cell	New Delhi
26. अधीक्षक (निवारक) एवं आसूचना प्रकोष्ठ	जयपुर, राजस्थान	21. Superintendent (Preventive) & Intelligence cell	Faizabad, UP

[फा.सं.-11012/1/2008-हिंदी-2]

मधु शर्मा, निदेशक (राजभाषा)

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 18th November, 2009

S.O. 3249.—In pursuance of Sub Rule 4 of rule 10 of the Official Language (use of official purpose of the union) Rule, 1976 the Central Government hereby notifies the following Offices of the Central Narcotics Bureau, Gwalior, the 80% Staff where of have acquired the working knowledge of Hindi :-

1. Distt. opium officer	Neemuch, 1st Division
2. Distt. opium officer	Mandsaur, 3rd Division
3. Distt. opium officer	Chittorgarh, 1st Division
4. Distt. opium officer	Chittorgarh, 3rd Division
5. Distt. opium officer	Bhilwara, Rajasthan
6. Distt. opium officer	Jalawar, Rajasthan
7. Distt. opium officer	Kota, Rajasthan
8. Distt. opium officer	Barabanki, UP
9. Distt. opium officer	Mandsaur, 1st Division
10. Distt. opium officer	Partapgarh, Rajasthan
11. Distt. opium officer	Garoth, MP
12. Distt. opium officer	Mandsaur, 2nd Division
13. Distt. opium officer	Neemuch, 2nd Division
14. Superintendent (Preventive) & Intelligence cell	Singoli, MP

22. Superintendent (Preventive) & Intelligence cell	Bhawani Mandi, Rajasthan
23. Superintendent (Preventive) & Intelligence cell	Ratlam, MP
24. Superintendent (Preventive) & Intelligence cell	Gazipur, UP
25. Superintendent (Preventive) & Intelligence cell	Indore, UP
26. Superintendent (Preventive) & Intelligence cell	Jaipur, Rajasthan

[F. No.-11012/1/2008-Hindi-2]

MADHU SHARMA, Director (OI.)

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 26 नवम्बर, 2009

का.आ. 3250.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (i) के खंड (ii) के प्रयोजनार्थ कर निर्धारण वर्ष 2007-08 के आगे से संगठन गांधी मैमोरियल लेपरोसी फाउंडेशन, वर्धा, को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगे 'अन्य संस्था' की श्रेणी में अनुमोदित किया गया है, नामतः:

- (i) अनुमोदित संगठन को प्राप्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा ;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;
- (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग बही-खाता रखेगा जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में तथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;
- (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित ऐसे विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 85/2009/फा.सं. 203/119/2008-आ.क.नि.-II]
अजय गोयल, निदेशक (आ.क.नि. II)

(Central Board of Direct Taxes)

New Delhi, the 26th November, 2009

S.O. 3250.—It is hereby notified for general information that the organization Gandhi Memorial Leprosy Foundation, Wardha, has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5E of the Income-tax Rules, 1962

(said Rules) from assessment year 2007-08 onwards in the category of 'other Institution', partly engaged in research activities subject to the following conditions, namely :

- (i) The sums paid to the approved organization shall be utilized for scientific research ;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain separate books of account in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :

- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine ; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of section 35 of the said Act, read with rules 5C and 5E of the said Rules.

[Notification No. 85/2009/F.No.203/119/2008/ITA-II]
AJAY GOYAL, Director (ITA-II)

नई दिल्ली, 26 नवम्बर, 2009

क्रा.आ. 3251.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग तथा 5ड. के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ कर निर्धारण

वर्ष 2009-10 से आगे संगठन इंटीग्रेटेड रिसर्च एंड ऐक्शन फोर डेवलपमेंट, नई दिल्ली, को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगे "अन्य संस्था" की श्रेणी में अनुमोदित किया गया है, नामतः—

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग सामाजिक विज्ञान में अनुसंधान के लिए किया जाएगा ;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से सामाजिक विज्ञान अथवा संख्यिकी विज्ञान में अनुसंधान करेगा;
- (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग बही-खाता रखेगा जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत् सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;
- (iv) अनुमोदित संगठन सामाजिक विज्ञान में अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपयुक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत् सत्यापित ऐसे विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5ड के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 86/2009/फा.सं. 203/3/2009-आ.क.नि.-II]

अजय गोयल, निदेशक (आ.क.नि.-II)

New Delhi, the 26th November, 2009

S.O.3251.— It is hereby notified for general information that the organization The Foundation for

Research in Community Health, Mumbai has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5E of the Income-tax Rules, 1962 (said Rules) from Assessment year 2009-10 onwards in the category of 'other Institution', partly engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out the scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain separate books of account in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization:—

- (a) fails to maintain separate books of account referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act, read with rules 5C and 5E of the said Rules.

[Notification No. 86/2009/F.No. 203/3/2009-ITA-II]

AJAY GOYAL, Director (ITA-II)

नई दिल्ली, 26 नवम्बर, 2009

का.आ. 3252.—सर्वसाधारण की जानकारी के लिए एतद्द्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग तथा 5ड के

साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (2) के प्रयोजनार्थ कर निर्धारण वर्ष 2009-10 के आगे से संगठन इंटीग्रेटेड रिसर्च एंड ऐक्शन फोर डेवलपमेंट, नई दिल्ली, को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगे "अन्य संस्था" की श्रेणी में अनुमोदित किया गया है, नामतः:

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग सामाजिक विज्ञान में अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से सामाजिक विज्ञान अथवा सांख्यिकी विज्ञान में अनुसंधान करेगा;
- (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग बही-खाता रखेगा जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;
- (iv) अनुमोदित संगठन सामाजिक विज्ञान में अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित ऐसे विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :-

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित सामाजिक विज्ञान अथवा सांख्यिकी विज्ञान में अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य कलाप करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5ड. के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (iii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 87/2009/फा.सं. 203/34/2009-आ.क.नि.-II]

अजय गोयल, निदेशक (आ.क.नि.-II)

New Delhi, the 26th November, 2009

S.O. 3252.—It is hereby notified for general information that the organization Integrated Research and Action for Development (IRADe), New Delhi has been approved by the Central Government for the purpose of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5E of the Income-tax Rules, 1962 (said Rules) from Assessment year 2009-10 onwards in the category of 'other institution', partly engaged in research activities subject to the following conditions, namely :-

- (i) The sums paid to the approved organization shall be utilized for research in social sciences;
- (ii) The approved organization shall carry out research in social science or statistical research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for research in social sciences and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization:-

- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of donations received and sums applied for research in social sciences or statistical research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (iii) of sub-section (1) of Section 35 of the said Act, read with rules 5C and 5E of the said Rules.

[Notification No. 87/2009/F.No. 203/34/2009-ITA-II]
AJAY GOYAL, Director (ITA-II)

नई दिल्ली, 26 नवम्बर, 2009

का.आ. 3253.—सर्वसाधारण की जानकारी के लिए एतद्द्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग तथा 5ड. के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ कर निर्धारण वर्ष 2009-10 से आगे संगठन नूरुल इस्लाम एजुकेशनल ट्रस्ट, कन्या-कुमारी को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगे "कालेज" की श्रेणी में अनुमोदित किया गया है, नामतः

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;
- (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग खाता-बही रखेगा जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;
- (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित ऐसे विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :-

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5ड. के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 88/2009/फा.सं. 203/52/2009-आ.क.नि.-II]
अजय गोयल, निदेशक (आ.क.नि.-II)

New Delhi, the 26th November, 2009

S.O.3253.—It is hereby notified for general information that the organization Noorul Islam Educational Trust; Kanyakumari has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5E of the Income-tax Rules, 1962 (said Rules) from Assessment year 2009-10 onwards in the category of 'College', partly engaged in research activities subject to the following conditions, namely :-

- (i) The sums paid to the approved organization shall be utilized for Scientific research ;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization:-

- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine ; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of section 35 of the said Act, read with rules 5C and 5E of the said Rules.

[Notification No. 88/2009/F.No. 203/52/2009/ITA-II]
AJAY GOYAL, Director (ITA-II)

नई दिल्ली, 26 नवम्बर, 2009

का.आ. 3254.—सर्वसाधारण की जानकारी के लिए एतद्द्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर

नियमावली, 1962 (उक्त नियमावली) के नियम 5ग तथा 5ड. के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (iii) के प्रयोजनार्थ कर निर्धारण वर्ष 2009-10 से आगे संगठन ग्रेट लेक्स इंस्टिट्यूट आफ मैनेजमेंट, चेन्नई, को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगे "कालेज" की श्रेणी में अनुमोदित किया गया है, नामतः :-

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग सामाजिक विज्ञान में अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से सामाजिक विज्ञान अथवा सांख्यिकी अनुसंधान में अनुसंधान करेगा;
- (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग खाता-बही रखेगा जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;
- (iv) अनुमोदित संगठन सामाजिक विज्ञान में अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित ऐसे विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :-

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित सामाजिक विज्ञान अथवा सांख्यिकी अनुसंधान में अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5ड. के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (iii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 89/2009/फा.सं. 203/54/2009-आ.क.नि.-II]

अजय गोयल, निदेशक (आ.क.नि.-II)

New-Delhi, the 26th November, 2009

S.O3254.— It is hereby notified for general information that the organization Great Lakes Institute of Management, Chennai has been approved by the Central Government for the purpose of clause (iii) of sub-section (1) of section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5E of the Income-tax Rules, 1962 (said Rules) from Assessment year 2009-10 onwards in the category of 'College', partly engaged in research activities subject to the following conditions, namely :-

- (i) The sums paid to the approved organization shall be utilized for research in social sciences ;
- (ii) The approved organization shall carry out research in social science or statistical research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research and get such books audited by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for research in social sciences and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above:

2. The Central Government shall withdraw the approval if the approved organization:-

- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for research in social sciences or statistical research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine ; or
- (e) ceases to conform to and comply with the provisions of clause (iii) of sub-section (1) of section 35 of the said Act, read with rules 5C and 5E of the said Rules.

[Notification No. 89/2009/F.No. 203/54/2009/ITA-II]

AJAY GOYAL, Director (ITA-II)

नई दिल्ली, 26 नवम्बर, 2009

का.आ. 3255.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5ड. के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ कर निर्धारण वर्ष 2008-09 से आगे संगठन इंस्टिट्यूट आफ साइंटिफिक रिसर्ज आन वेदाज (आई-सर्व) हैदराबाद, को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगे "अन्य संस्था" की श्रेणी में अनुमोदित किया गया है, नामतः—

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;
- (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग खाता-बही रखेगा जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;
- (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित ऐसे विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :-

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त राशि का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5ड. के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 90/2009/फा.सं. 203/60/2009-आ.क.नि.-II]

अजय गोयल, निदेशक (आ.क.नि.-II)

New Delhi, the 26th November, 2009

S.O.3255.—It is hereby notified for general information that the organization Institute of Scientific Research on Vedas (I-SERVE), Hyderabad has been approved by the Central Government for the purpose of clause (iii) of sub-section (1) of section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5E of the Income-tax Rules, 1962 (said Rules) from Assessment year 2008-09 onwards in the category of 'other Institution', partly engaged in research activities subject to the following conditions, namely :-

- (i) The sums paid to the approved organization shall be utilized for scientific research ;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research and get such books audited by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization:-

- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act, read with rules 5C and 5E of the said Rules.

[Notification No. 90/2009/F.No. 203/60/2009/ITA-II]

AJAY GOYAL, Director (ITA-II)

सीमा शुल्क एवं केन्द्रीय उत्पाद शुल्क आयुक्त का कार्यालय

सेलम, 20 नवम्बर, 2009

संख्या: 04/2009-सीमा शुल्क (एन.टी.)

का.आ. 3256.—सीमा शुल्क अधिनियम, 1962, की धारा 152 के खंड (क) के अंतर्गत भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली द्वारा दिनांक 1 जुलाई, 1994 को जारी की गई अधिसूचना सं. 33/94-सीमा शुल्क (एन.टी.) द्वारा अधोहस्ताक्षरी को प्रदत्त शक्तियों का प्रयोग करते हुए, मैं सी. पी. राव, आयुक्त, सीमा शुल्क एवं केन्द्रीय उत्पाद शुल्क, सेलम एतद्वारा सर्वे सं. जे/5-74/1, लोअर थलैयातिमंड, ऊटी टाउन (पू), ऊटी तालुक, निलगिरी जिला, तमिलनाडु राज्य को संचार और सूचना प्रौद्योगिकी मंत्रालय, सूचना प्रौद्योगिकी विभाग, तरमणि चेन्नै, अनुमोदितनुसार सॉफ्टवेयर तकनीकी पार्क योजना हेतु शत-प्रतिशत निर्यातमुख एकक के प्रयोजन के लिए सीमा शुल्क अधिनियम, 1962, की धारा 9 के अनुसार भाण्डागार स्टेशन घोषित करता हूँ।

[फा. सं. सी सं VIII /40/05/2009-सीमा शुल्क-नीति]

सी. पी. राव, (आयुक्त)

OFFICE OF THE COMMISSIONER OF CUSTOMS AND CENTRAL EXCISE

Salem, the 20th November, 2009

No. 04/2009- Customs (NT)

S.O. 3256.—In exercise of the powers delegated to the undersigned, vide Notification No.33/94-CUS (NT) dated 1st July, 1994 by the Government of India, Ministry of Finance, Department of Revenue, New Delhi under clause (a) section 152 of the Customs Act, 1962, I, C. P. RAO, COMMISSIONER OF CUSTOMS AND CENTRAL EXCISE, SALEM hereby declare SF. No. J/5-74/1 located at Lower Thalyattimund, in Ooty town east of Ooty taluk in Nilgiris District in the state of Tamil Nadu to be a warehousing Station under Section 9 of the Customs Act, 1962 for the purpose of setting up a 100% Export Oriented Unit under Software Technology park Scheme of Government of India as approved by the Ministry of Communications & Information Technology, Department of Information Technology, Taramani, Chennai- 600113.

[F. No. C. VIII/40/05/2009-CUS-POL]

C. P. RAO, Commissioner

विदेश मंत्रालय

(सीपीवी प्रभाग)

नई दिल्ली, 16 नवम्बर, 2009

का.आ. 3257.—राजनयिक और कौंसलीय ऑफिसर (शपथ और फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में, केंद्र सरकार एतद्वारा श्री दिलीप कुमार चावला, सहायक और रमेश कुमार गहलोत, अपर श्रेणी लिपिक को 16-11-2009 से भारत के कौंसलावास, टॉरंटो में सहायक कौंसुलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं. टी 4330/1/2006]

आर. के. पेरिन्डिया, अवसर सचिव (कौंसुलर)

MINISTRY OF EXTERNAL AFFAIRS

(C. P. V. Division)

New Delhi, the 16th November, 2009

S.O. 3257.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri Dilip Kumar Chawla, Assistant and Shri Ramesh Kumar Gahlaut, UDC in the Consulate General of India, Toronto to perform their duties of Assistant Consular Officers with effect from 16th November, 2009.

[No. T. 4330/1/2006]

R. K. PERINDIA, Under Secy. (Consular)

सांख्यिकी और कार्यक्रम कार्यान्वयन मंत्रालय

नई दिल्ली, 16 नवम्बर, 2009

का. आ. 3258.—भारतीय सांख्यिकीय संस्थान अधिनियम, 1959 (सं. 57) की धारा 8 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्र सरकार एतद्वारा दिनांक 1-4-09 से 31-3-2011 तक की अवधि के लिए एक समिति का गठन करती है जिसमें निम्नलिखित व्यक्ति शामिल होंगे:-

- | | |
|------------------------------------|---------|
| (i) प्रो. अतुल शर्मा | अध्यक्ष |
| सदस्य, 13 वां वित्त आयोग | |
| भारत सरकार | |
| हिन्दुस्तान टाइम हाऊस, चौथा तल | |
| कस्तूरबा गांधी मार्ग | |
| नई दिल्ली - 110001 | |
| दूरभाष: 011-23704677 | |
| (ii) प्रो. प्रभात पटनायक | सदस्य |
| प्रोफेसर, अर्थशास्त्र, | |
| जवाहर लाल नेहरू वि. वि. | |
| नई दिल्ली | |
| दूरभाष: 011-26704421, 011-26701841 | |
| (iii) प्रो. एस. पी. मुखर्जी, | सदस्य |
| भारतीय उत्पादकता, गुणवत्ता एवं | |
| विश्वसनीयता संघ (आई ए क्यू पी आर) | |
| ए डी-276, सॉल्ट लेक, | |
| कोलकाता-64 | |
| मोबाइल: 09831558126 | |
| (iv) प्रो. सुभाष चन्द्र दत्ता रॉय | सदस्य |
| एमेरिटस प्रो., | |
| इलैक्ट्रिकल अभियांत्रिकी विभाग, | |
| भारतीय प्रौद्योगिकी संस्थान, | |
| नई दिल्ली | |
| दूरभाष: 011-26591080 | |
| मोबाइल: 09871470136 | |

(v) प्रो. अनिल गुप्ता, भारतीय प्रबंध संस्थान, वस्त्रपुर, अहमदाबाद -380015 दूरभाष: 079-26324927, 079-26304970	सदस्य	(i) Prof. Atul Sarma, Member, 13th Finance Commission Government of India Hindustan Time House, 4th Floor Kasturba Gandhi Marg New Delhi- 110001 Tel: 011-23704677	Chairman
(vi) निदेशक, भारतीय सांख्यिकीय संस्थान, भारतीय सांख्यिकीय संस्थान परिषद् के प्रतिनिधि के रूप में	सदस्य	(ii) Prof. Prabhat Patnaik, Professor of Economics, Jawaharlal Nehru University, New Delhi Tel: 011-26704421, 011-26701841	Member
(vii) सां और कार्य. कार्या. मंत्रालय, भारत सरकार से सम्बद्ध वित्तीय सलाहकार	सदस्य	(iii) Prof. S. P. Mukherjee, Indian Association for Productivity, Quality and Reliability (IAQPR) AD-276 Salt Lake Kolkata-64 Mobile: 09831558126	Member
(viii) सां और कार्य. कार्या. मंत्रालय, में भारतीय सांख्यिकीय संस्थान से जुड़े मामलों को देखने वाले निदेशक/उप सचिव	सदस्य संयोजक	(iv) Prof. Subhash Chandra Dutta Roy Emeritus Prof., Department of Electrical Engineering, Indian Institute of technology New Delhi, Tel: 011-26591080 Mobile: 09871470136	Member
उक्त समिति को निम्नलिखित कर्तव्य सौंपे जाते हैं—		(v) Prof. Anil Gupta Indian Institute of Management, Vastrapur, Ahmadabad- 380015 Tel: 079-26324927, 079-26304970	Member
(i) कार्य/स्कीमों/परियोजनाओं (योजना और गैर-योजना, दोनों) के सम्मत कार्यक्रम की समीक्षा करना तथा बजट अनुमान एवं संशोधित अनुमान में उपलब्ध कराई जाने वाली राशि की सिफारिश करना और भारतीय सांख्यिकीय संस्थान को सहायता अनुदान प्रदान करने के लिए वित्तीय अनुदानों के संबंध में सिफारिशें करना;		(vi) Director Indian Statistical Institute as representative of Indian Statistical Institute Council.	Member
(ii) (क) उन कार्यों (योजना और गैर-योजना, दोनों) के कार्यक्रम दर्शाने वाला विवरण तैयार करना जिन्हें वित्तीय वर्ष के दौरान आई एस आई, कोलकाता द्वारा आरम्भ करने की सहमति बनी है और जिनके लिए केन्द्र सरकार निधियां उपलब्ध करा सकती है तथा इस विवरण को केन्द्र सरकार को प्रस्तुत करना, तथा साथ ही ऐसे कार्यों के संबंध में सामान्य वित्तीय अनुमान तैयार करना;		(vii) Financial Adviser attached to the Ministry of Statistics and Programme Implementation Government of India	Member
(ख) कार्य से संबंधित कार्यक्रमों से जुड़ी मुख्य बातों का निर्धारण करना।		(viii) Director/DS handling ISI matters in MOSPI	Member Convener

समिति जब भी बैठक करेगी, इसके कार्यवृत्त सरकार को प्रस्तुत करेगी। समिति जिसका मुख्यालय नई दिल्ली में स्थित होगा, को सचिवालय सहायता सां. और कार्य. कार्या. मंत्रालय प्रदान करेगा।

[सं. आई-11011/1/2009-समन्वय]

अरविंद कुमार, संयुक्त सचिव

MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION

New Delhi, the 16th November, 2009

S.O. 3258.—In exercise of the powers conferred by Sub-section (1) of Section 8 of the Indian Statistical Institute Act. (No.57) of 1959, the Central Government hereby constitutes a Committee for the period from 1-4-09 to 31-3-2011 consisting of:

2. Following duties are assigned of the said Committee.

(i) Review of the agreed programme of work/schemes/projects (both Plan and Non-Plan) and make recommendations of the amount to be provided in the BE & RE and also make recommendations regarding the financial estimates for paying grant-in-aid to the ISI;

(ii) (a) Preparation and submission to the Central Government of statement showing programmes of work (both Plan & Non-Plan) agreed to be

undertaken by the ISI, Kolkata, during the financial year for which the Central Government may provide funds, as well as general financial estimates of such work;

(b) The settlement on broad lines of the programmes of work.

3. The Committee shall submit its minutes to the Government as and when the Committee meets. The Ministry of Statistics and Programme Implementation shall render secretarial assistance to the Committee, the headquarters of which will be at New Delhi.

[No. I-11011/1/2009-Coord]
ARVIND KUMAR, Jt. Secy.

पर्यटन मंत्रालय

नई दिल्ली, 24 नवम्बर, 2009

का.आ. 3259.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दिनांक 20 जून, 2002 को पर्यटन मंत्रालय, भारत सरकार के सं. का.आ. 2212 की अधिसूचना के अधिक्रमण में, ऐसे अधिक्रमण के पूर्व इस संबंध में की गई अथवा हटा दी गई चीजों को छोड़कर, केन्द्र सरकार निम्नलिखित सारणी के कॉलम (1) में उल्लिखित अधिकारी को, सरकार के राजपत्रित अधिकारी के रैंक के समकक्ष अधिकारी होने के नाते इस अधिनियम के उद्देश्य के लिए सम्पदा अधिकारी के रूप में एतद्वारा नियुक्त करती है और यह स्थानीय सीमाएं और सरकारी स्थानों की श्रेणियां निश्चित करती है, जिसके संबंध में उक्त सम्पदा अधिकारी प्रदत्त शक्तियों का प्रयोग करेगा और कर्तव्यों का निर्वाह करेगा।

सारणी

अधिकारी का पद नाम	सरकारी स्थानों की श्रेणियां और क्षेत्राधिकार की स्थानीय सीमाएं
(1)	(2)
महाप्रबंधक, ललित महल पैलेस होटल, मैसूर, कर्नाटक	भारत पर्यटन विकास निगम का अथवा उनके द्वारा पट्टे पर लिए गए और कर्नाटक राज्य में स्थित सभी स्थान।

[सं. 6/21/91-पी एस यू (टी)]

राजेन्द्र प्रसाद, सहायक महानिदेशक (पी एस यू)

MINISTRY OF TOURISM

New Delhi, the 24th November, 2009

S.O. 3259.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of unauthorized occupants) Act, 1971 (40 of 1971) and in supersession of the notification of the Government of India in the Ministry of Tourism, number S.O. 2212, dated the 20th June, 2002,

except as respects things done or omitted to be done before such supersession, the Central Government hereby appoints the officer mentioned in column (1) of the TABLE below, being the officer equivalent to the rank of Gazetted Officer of the Government, to be the Estate Officer for the purposes of this Act and also defines the local limits within which and the categories of the public premises, in respect of which, the said Estate Officer shall exercise the powers conferred, and perform the duties imposed, as specified in corresponding entry in column (2) of the said TABLE on such Estate Officer by or under the said Act:

TABLE

Designation of the officer	Categories of public premises and local limits of the jurisdiction
(1)	(2)
General Manager, Lakitha Mahal Palace Hotel, Mysore Karnataka	All premises belonging to, or taken on lease by, the India Tourism Development Corporation Limited and situated in the State of Karnataka.

[No. 6/21/91-PSU (T)]

RAJENDER PRASAD, Assistant DG (PSU)

संचार एवं सूचना प्रौद्योगिकी मंत्रालय

(डाक विभाग)

नई दिल्ली, 23 नवम्बर, 2009

का.आ. 3260.—राजभाषा नियम (संघ के शासकीय प्रयोजनों के लिए प्रयोग), 1976 के नियम 10 के एप नियम (4) के अनुसरण में केन्द्र सरकार, डाक विभाग के अधीनस्थ कार्यालय मुख्य पोस्टमास्टर जनरल का कार्यालय, कर्नाटक डाक सर्किल, पैलेस रोड, बंगलूर 560216 को जिनके 80 प्रतिशत कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. 11017-1/2009-रा. भा.]

मीरा हाण्डा, उप महानिदेशक (पी ओ एवं आई/रा. भा.)

MINISTRY OF COMMUNICATIONS AND IT

(Department of Posts)

New Delhi, the 23rd November, 2009

S.O. 3260.—In pursuance of Rule 10(4) of the Official Language (use for official purposes of the Union) Rule 1976, the Central Government hereby notifies Office of the Chief Postmaster General, Karnataka Postal Circle, Palace Road, Bangalore-560216 of the Department of Posts where 80% staff has acquired the working Knowledge of Hindi.

[No. 11017-1/2009-OL]

MEERA HANDA, Dy. Director General (PO & I/O.)

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

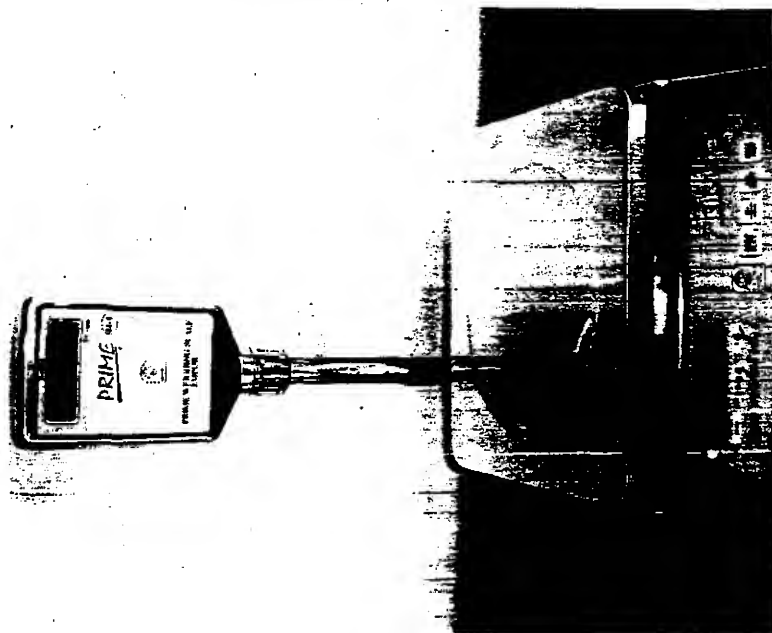
(उपभोक्ता मामले विभाग)

नई दिल्ली, 12 नवम्बर, 2009

का.आ. 3261.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स प्राइम टेलेलिक प्रा. लि., प्लॉट नं. एफ 76(ए1), रोड नं. 5 सी, वी के आई एरिया, जयपुर, राजस्थान द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "पीटीटी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "प्राइम" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/421 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) अंकक सूचन सहित है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल का सीलिंग डायग्राम

मशीन के बाटम में चारों कोनों में दिए गए हैड होल स्कू में से लीड वायर निकाल कर सीलिंग की जाती है और लीड सील लगायी गई है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड /मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं.-डब्ल्यू एम-21 (232)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)**

New Delhi, the 12th November, 2009

S.O. 3261.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table topType) with digital indication of high accuracy (Accuracy class-II) of Series "PTT" and with brand name "PRIME" (hereinafter referred to as the said Model), manufactured by M/s. Prime Telelink Pvt. Ltd., Plot No. 5C, V.K.I. Area, Jaipur, Rajasthan and which is assigned the approval mark IND/09/09/421;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table topType) with digital indication of maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 2 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.

Figure 1—Model

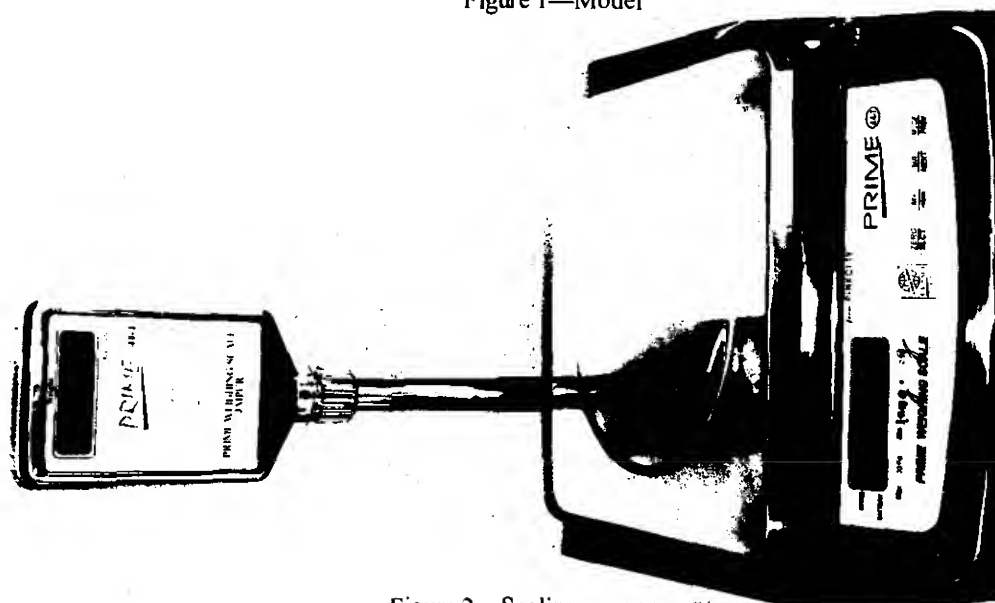


Figure 2—Sealing arrangement

The sealing is done by passing a leaded wire through the head hole of the screw at four corner of bottom of the machine and lead seal is fixed. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity upto 50 kg. and with number verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg. to 50 mg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F.No.-WM-21 (232)/2009]

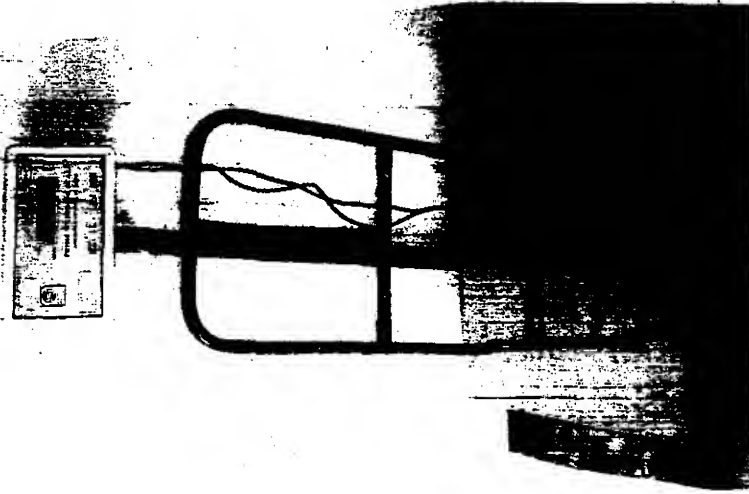
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 12 नवम्बर, 2009

का.आ. 3262.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स प्राइम टेलेलिक प्रा. लि., प्लॉट नं. एफ 76(ए1), रोड नं. 5 सी, बी के आई एरिया, जयपुर, राजस्थान द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "पीटीपी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "प्राइम" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/422 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) अंकक सूचन सहित है। इसकी अधिकतम क्षमता 120 कि.ग्रा. और न्यूनतम क्षमता 500 ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल का सीलिंग डायग्राम

मशीन के बाटम में चारों कोनों में दिए गए हैड होल स्कू में से लीड वायर निकाल कर सीलिंग की जाती है और लीड सील लगाई गई है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड /मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (232)/2009]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th November, 2009

S.O. 3262.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform Type) with digital indication of high accuracy (Accuracy class-II) of series "P2P" and with brand name "PRIME" (hereinafter referred to as the said Model), manufactured by M/s. Prime Telex Pvt. Ltd., Plot No. F-76(A1), Road No. 5C, V.K.I. Area, Jaipur, Rajasthan and which is assigned the approval mark IND/09/09/422.

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with digital indication of maximum capacity of 120 kg and minimum capacity of 500 g. The verification scale interval (e) is 10 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, and 50 Hertz alternate current power supply.

Figure 1—Model

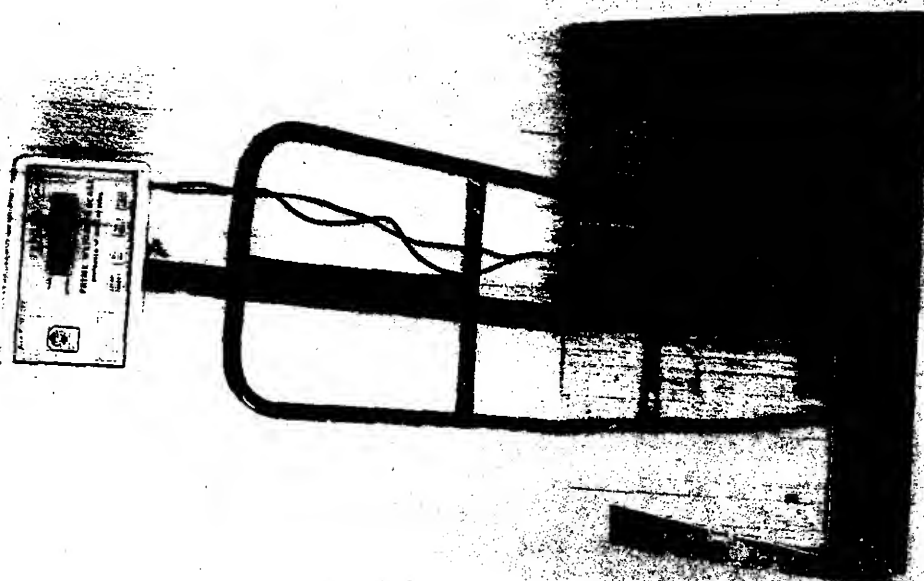


Figure 2—Sealing arrangement

The sealing is done by passing a leaded wire through the head hole of the screws at four corner of bottom of the machine and lead seal is fixed. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 5000 kg and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg to 50 mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg, or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (232)/2009]

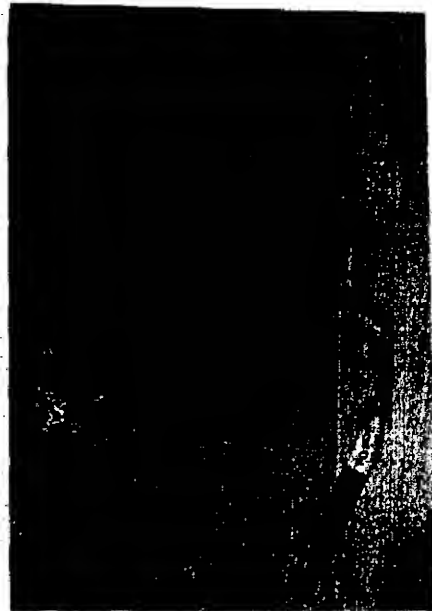
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 नवम्बर, 2009

का. आ. 3263.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (3), उपधारा (7) और उपधारा (8) के तीसरे परन्तुक द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स कलराज एंड कं., आर्य कालेज फार बॉयस, सिविल लाइन्स, लुधियाना-पंजाब 141 001 द्वारा विनिर्मित यथार्थता वर्ग III के “यूनिवर्सल्स” शृंखला के “प्लास्टिक टेप मैजर” के मॉडल का, जिसके ब्रांड का नाम “यूनिवर्सल्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/433 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल प्लास्टिक टेप मैजर (प्लास्टिक फीता माप) है। जिसकी अधिकतम लम्बाई 50 मीटर है तथा न्यूनतम भाग 2 मिलीमीटर है जिसका उपयोग लम्बाई को मापने के लिए किया जाता है। इसका उपयोग लम्बाई को मापने के लिए किया जाता है जहां कड़े माप की लम्बाई सुविधाजनक या व्यवहारिक न हो।



आकृति-2 सीलिंग प्रावधान

जैसाकि ऊपर आकृति में दिखाया गया है स्टाम्प का सत्यापन स्टील टेप मैजर के आरंभ में दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के स्टील टेप मैजर भी होंगे जिनकी रेंज 5 मीटर से 100 मीटर तक है।

[फा. सं. डब्ल्यू एम-21 (241)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th November, 2009

S.O. 3263.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of the "Fabric Tape Measure", of Accuracy Class III of series "UNIVERSAL'S" with brand name "UNIVERSAL'S" (herein referred to as the said Model), manufactured by M/s. Kulraj & Co., Opposite Arya College for Boys, Civil Lines, Ludhiana-Punjab 141 001 and which is assigned the approval mark IND/09/09/433;

The said Model is a Fabric Tape Measure, of maximum length 50m and smallest division is of 1 cm which is used for measurement of length. It is used for measurement of length where the use of rigid length measure is not convenient or practicable.

Figure 1—Model



Figure 2—Sealing provision

The verification stamp is given at the beginning of the Fabric Tape Measure, as shown in the figure above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the steel tape measure of similar make, accuracy and performance of same series in the range of 5m to 100m manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (241)/2009]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 नवम्बर, 2009

का.आ. 3264.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) के तहत परन्तुक द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स कलराज एंड कं., आर्य कालेज फार बॉयस, सिविल लाइन्स, लुधियाना-पंजाब 141 001 द्वारा विनिर्मित यथार्थता वर्ग III के “यूनिवर्सलस” श्रृंखला के “फेब्रिक टेप मैजर” के मॉडल का, जिसके ब्रांड का नाम “यूनिवर्सलस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/434 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल स्टील टेप मैजर (फेब्रिक फीता माप) है। जिसकी अधिकतम लम्बाई 50 मीटर है तथा न्यूनतम भाग 1 मिलीमीटर है जिसका उपयोग लम्बाई को मापने के लिए किया जाता है। इसका उपयोग लम्बाई को मापने के लिए किया जाता है जहां कड़े माप की लम्बाई सुविधाजनक या व्यवहारिक न हो।



आकृति-2 सीलिंग प्रावधान

जैसाकि ऊपर आकृति में दिखाया गया है स्ट्याम्प का सत्यापन स्टील टेप मैजर के आरंभ में दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के स्टील टेप मैजर भी होंगे जिनकी रेंज 5 मीटर से 100 मीटर तक है।

[फा. सं. डब्ल्यू एम-21 (241)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th November, 2009

S.O. 3264.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of the 'Fabric Tape Measure', of Accuracy Class III of series 'UNIVERSAL'S' with Brand name 'UNIVERSAL'S' (hereinafter referred to as the said Model), manufactured by M/s. Kulraj & Co., Opposite Arya College for Boys, Civil Lines, Ludhiana-Punjab 141 001 and which is assigned the approval mark IND/09/09/434;

The said Model is a "Fabric Tape measure", of maximum length 50m and smallest division is of 2 mm which is used for measurement of length. It is used for measurement of length where the use of rigid length measure is not convenient or practiceable.

Figure 1—Model

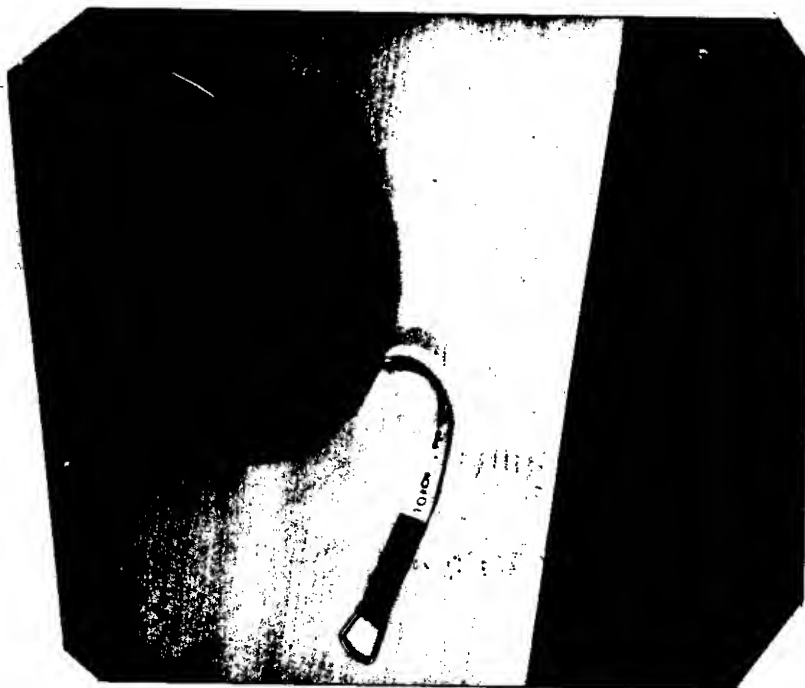


Figure 2—Sealing provision

The verification stamp is given at the beginning of the "Fabric Tape Measure", as shown in the figure above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the steel tap measure of similar make, accuracy and performance of same series in the range of 5m to 100m manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (241)/2009]

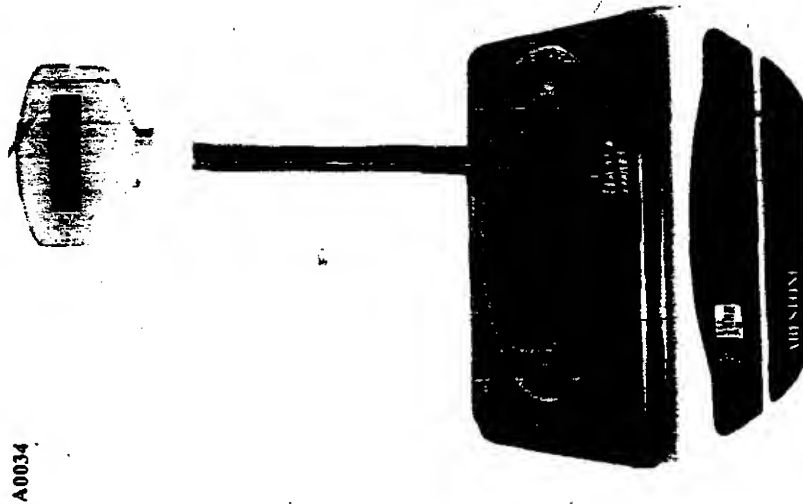
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 नवम्बर, 2009

का.आ. 3265.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स बेस्ट वन स्केल ट्रेडर्स, 109 सिद्धेश्वर पीठ, आबोली काम्पलैक्स, शॉप नं. 1, यशोधरा हॉस्पिटल के पास, जेड पी रोड, सोलापुर-413 001 (महाराष्ट्र) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एबीटीटी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "ए-बेस्ट वन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/423 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 सीलिंग प्रावधान का योजनाबद्ध डायग्राम

कपटपूर्ण व्यवहारों के लिए मशीन को खोले जाने से रोकने के लिए सीलिंग की जाती है। स्केल की बाड़ी और स्पेशल स्कू में दिए गए छेद में लीड सील सहित सीलिंग वायर निकाल कर स्टाम्पिंग प्लेट जोड़ कर स्टाम्पिंग किया जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड /मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 5,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} , 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं.-डब्ल्यू एम 21 (230)/2009]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th November, 2009

S.O. 3265.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top Type) with digital indication of Medium accuracy (Accuracy class-III) of series "ABTT" and with brand name "A-BEST ONE" (hereinafter referred to as the said Model), manufactured by M/s. Best One Scale Traders, 109 Siddheswar Peth, "ABOLI" Complex shop No. 1, Nr Yashodhara Hospital, Z.P. Road Solapur-413 001 (Maharashtra) which is assigned the approval mark IND/09/09/423;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top Type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

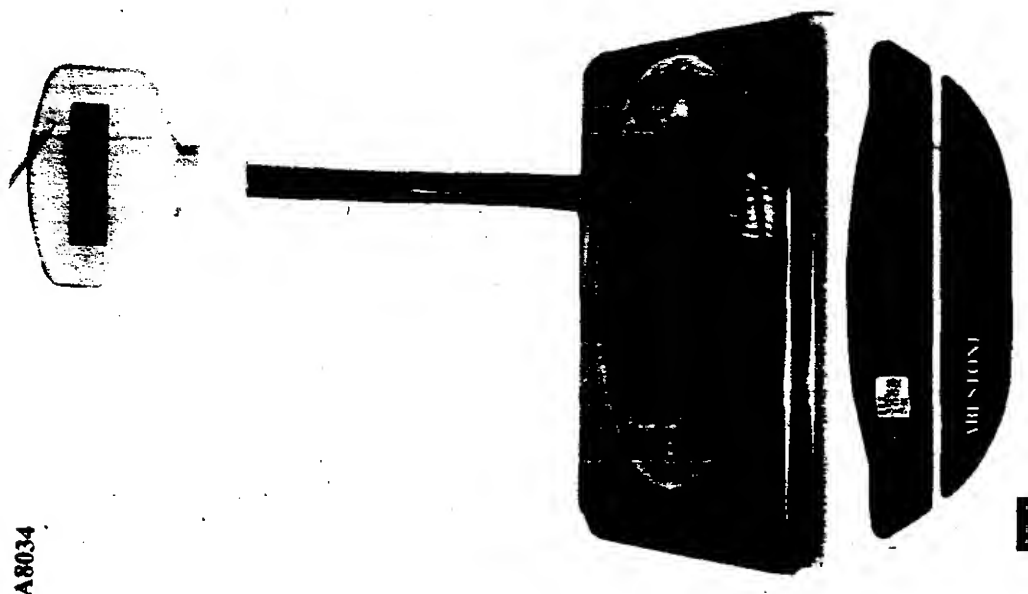


Figure 2—Schematic diagram of sealing provision of the model

Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. Stamping plate is connected through sealing wire passing from the body of scale and hole provided at the special screw with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 5,000 for 'e' value of 1 mg to 50 mg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No.-WM-21 (230)/2009]

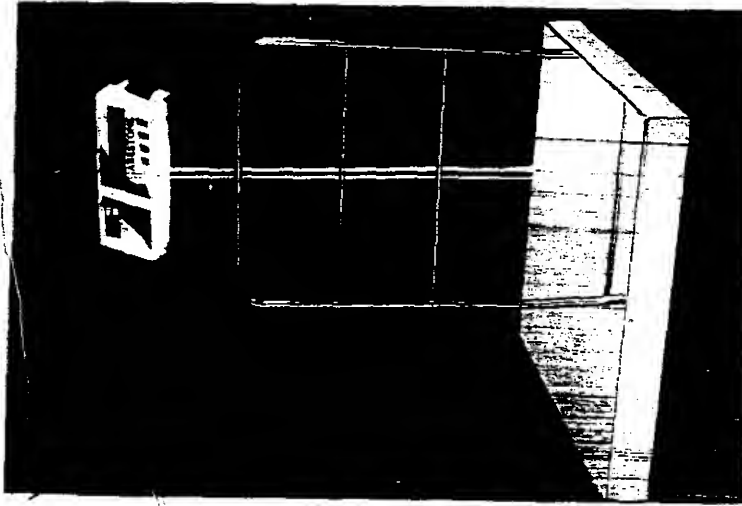
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 नवम्बर, 2009

का.आ. 3266.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स बेस्ट वन स्केल ट्रेडर्स, 109 सिद्धेश्वर पीठ, आबोली काम्पलेक्स, शॉप नं. 1, यशोधरा होस्पिटल के पास, जेड पी रोड, सोलापुर-413 001 (महाराष्ट्र) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एबीपीएफ” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “ए-बेस्ट वन” है (जिसमें इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/424 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



कपटपूर्ण व्यवहारों के लिए मशीन को खोले जाने से रोकने के लिए सीलिंग की जाती है। स्केल की बांडी में से लीड सील सहित सीलिंग वायर निकाल कर स्टाम्पिंग प्लेट जोड़ कर स्टाम्पिंग किया जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड /मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^{-3} , 2×10^{-3} , 5×10^{-3} , कं हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21 (230)/2009]

आर. माथुरबृथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th November, 2009

S.O. 3266.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform Type) with digital indication of medium accuracy (Accuracy class-III) of series "ABPF" and with brand name "A-BEST ONE" (hereinafter referred to as the said Model), manufactured by M/s. Best One Scale Traders, 109 Sidheswar Peth, "ABOLI" Complex Shop No. 1, Nr Yashodhara Hospital, Z.P. Road Solapur-413 001 (Maharashtra) which is assigned the approval mark IND/09/09/424;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 500 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

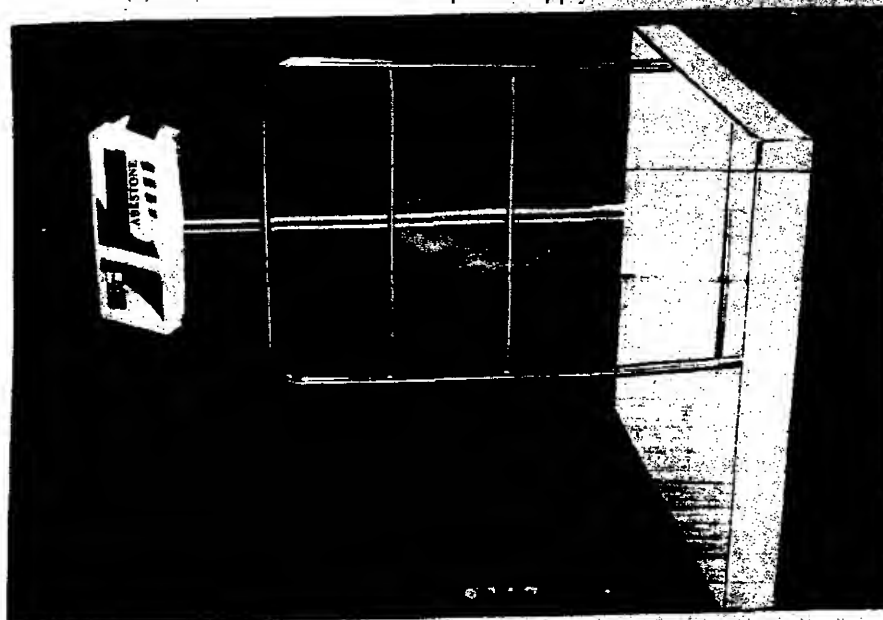


Figure 2---Schematic diagram of sealing provision of the model

Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. Stamping plate is connected through sealing wire passing from the body of scale with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (230)/2009]

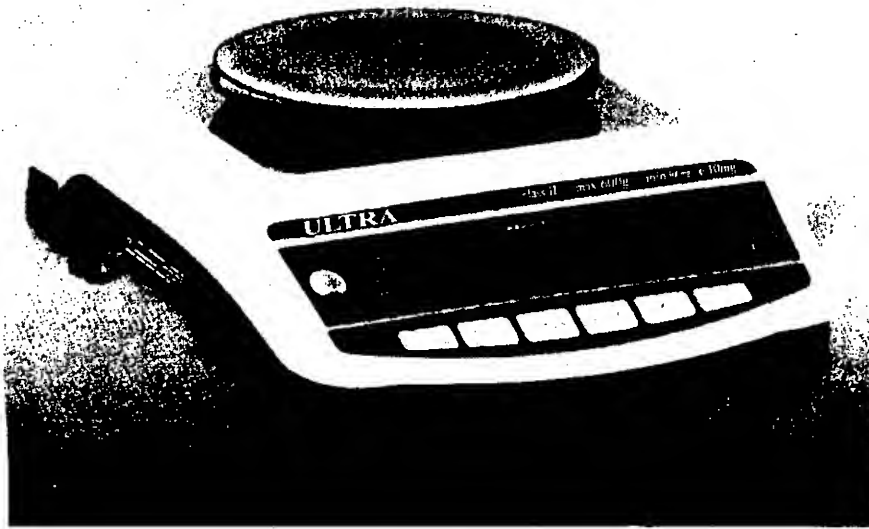
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 नवम्बर, 2009

का.आ. 3267.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स नाहर एंड सेठ इंड. एस्टेट, एल.बी.एस. मार्ग, पन्नालाल सिल्क कम्पाउंड, भांडुप (वे) महाराष्ट्र द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले “यूएलएम” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “यूएलटीआरए” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/435 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) सहित है। इसकी अधिकतम क्षमता 600 ग्रा. और न्यूनतम क्षमता 500 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। तरल कण प्रदर्शक (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 सीलिंग प्रावधान का योजनाबद्ध डायग्राम

कपटपूर्ण व्यवहारों से वेइंग मशीन को खोले जाने से रोकने के लिए सीलिंग की जाती है। स्टम्पिंग के लिए स्टाम्प प्लेट को स्केल की बाड़ी और स्पेशल स्क्रू में दिए गए छेद में से लीड सील के साथ सीलिंग वायर निकालकर जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड /मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 60,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 60,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^{-3} , 2×10^{-3} , 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (240)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th November, 2009

S.O. 3267.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of series "U.I.M" and with brand name "ULTRA" (hereinafter referred to as the said Model), manufactured by M/s. Ultra Instruments, 142-B, Nahar & Sheth Ind. Estate, L.B.S. Marg, Pannalal Silk Compound, Bhandup (W) Maharashtra-400 078 which is assigned the approval mark IND/09/09/435;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 600 g. and minimum capacity of 500 mg. The verification scale interval (e) is 10 mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



Figure 2—Schematic diagram of sealing provision of the model

Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. Stamping plate is connected through sealing wire passing from the body of scale and hole provided at the special screw with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 60,000 for 'e' value of 1 mg. to 50 mg. and with number of verification scale interval (n) in the range of 5000 to 60,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (240)/2009]

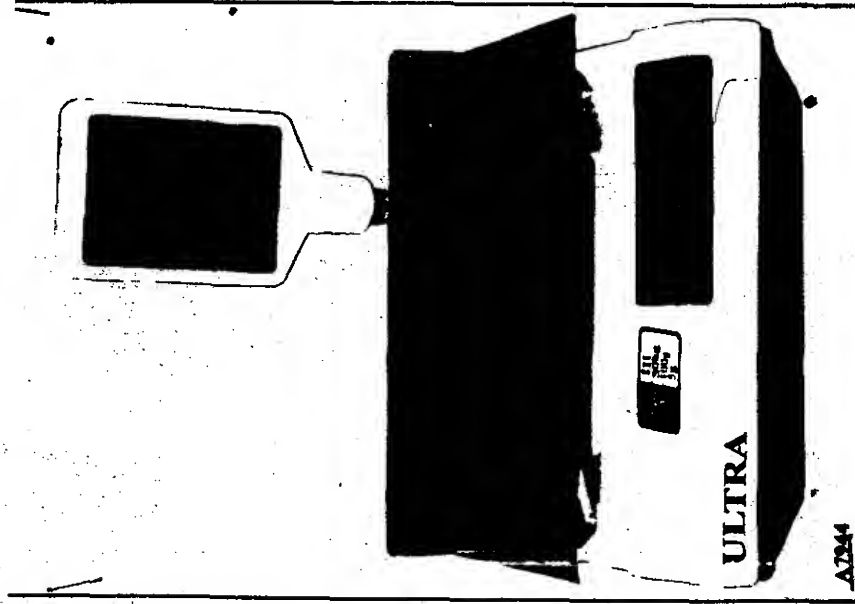
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 13 नवम्बर, 2009

का.आ. 3268.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स नाहर एंड सेठ इंड. एस्टेट, एल.बी.एस. मार्ग, पन्नालाल सिल्क कम्पाउंड, भांडुप (वे) महाराष्ट्र द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “यूएलटी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “यूएलटीआरए” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/436 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) सहित है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 240 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 सीलिंग प्रावधान का योजनाबद्ध डायग्राम

कपटपूर्ण व्यवहारों से वेइंग मशीन को खोले जाने से रोकने के लिए सीलिंग की जाती है। स्टम्पिंग के लिए स्टम्प प्लेट को स्केल की बाड़ी और स्पेशल स्क्रू में दिए गए छेद में से लीड सील के साथ सीलिंग वायर निकालकर जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड /मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (240)/2009]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th November, 2009

S.O. 3268.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top Type) with digital indication of Medium accuracy (Accuracy class-III) of series "U1.T" and with brand name "ULTRA" (hereinafter referred to as the said Model), manufactured by M/s. Ultra Instruments, 142-B, Nahar & Sheth Ind. Estate, L.B.S. Marg, Pannalal Silk Compound, Bhandup (W) (Maharashtra) 400078 which is assigned the approval mark IND/09/09/436;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top Type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

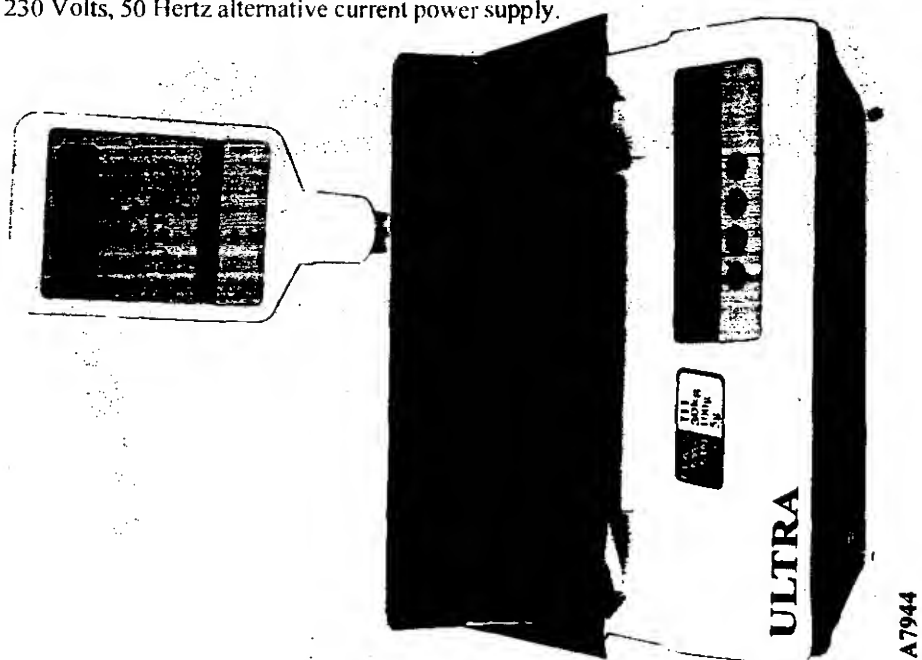


Figure 2—Schematic diagram of sealing provision of the model

Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. Stamping plate is connected through sealing wire passing from the body of scale and hole provided at the special screw with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 1 mg. to 50 mg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (240) 2009]

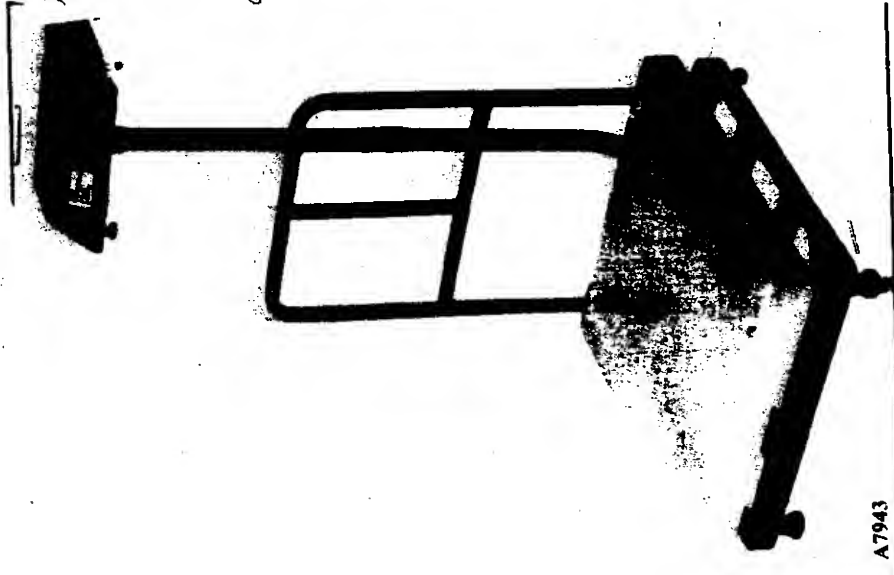
R. MATHURBOOTHIAM, Director of Legal Metrology

नई दिल्ली, 13 नवम्बर, 2009

का.आ. 3269.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स नाहर एंड सेठ इंड. एस्टेट, एल.बी.एस. मार्ग, पन्नालाल सिल्क कम्पाउंड, भांडुप (वे) महाराष्ट्र द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "यूएलपी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "यूएलटीआरए" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/437 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत अन्वकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

कपटपूर्ण व्यवहारों से वेइंग मशीन को खोले जाने से रोकने के लिए सीलिंग की जाती है। स्टाम्पिंग के लिए स्टाम्प प्लेट को स्कैल की बाड़ी और स्पेशल स्कू में दिए गए छेद में से लीड सील के साथ सीलिंग वायर निकालकर जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड /मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21 (240)/2009]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th November, 2009

S.O. 3269.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "ULP" and with brand name "ULTRA" (hereinafter referred to as the said model), manufactured by M/s. Ultra Instruments, 142-B, Nahar & Sheth Ind. Estate, L.B.S. Marg, Pannalal Silk Compound, Bhandup (W) Maharashtra 400078 and which is assigned the approval mark IND/09/09/437;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure 1—Model

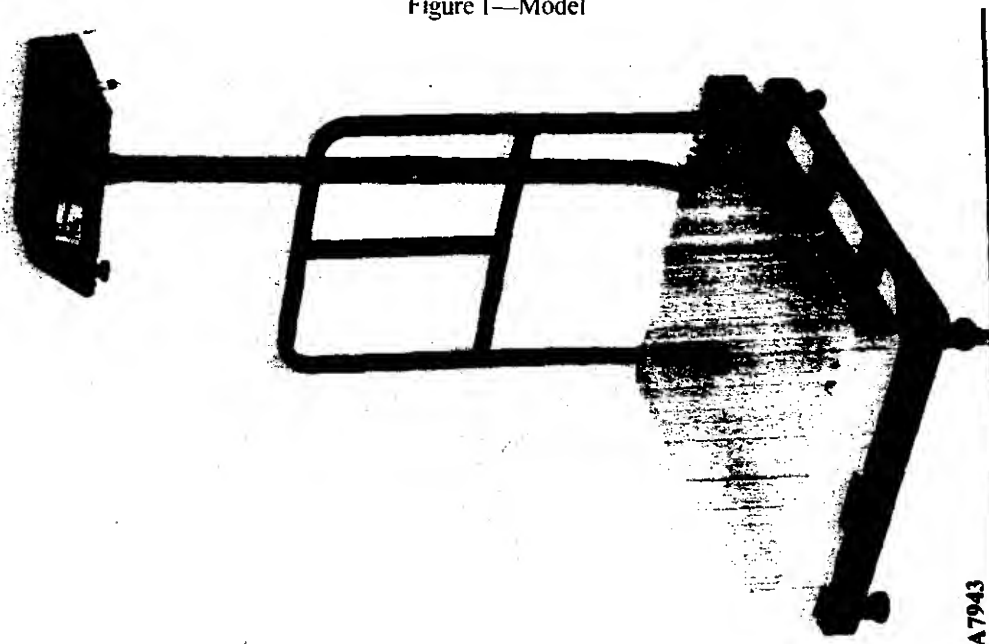


Figure 2—Sealing provision of the Indicator of the model

Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. Stamping plate is connected through sealing wire passing from the body of scale with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (240)/2009]

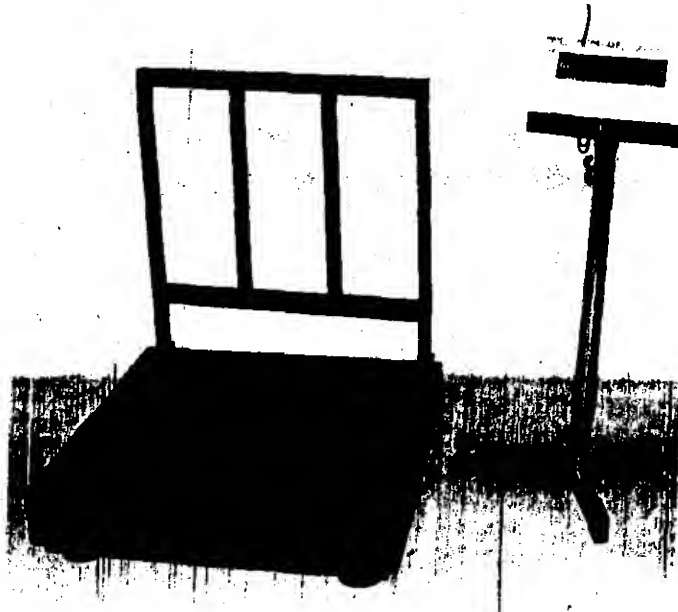
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 नवम्बर, 2009

का.आ. 3270.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स गिहोन वेडिंग स्केल्स, डी-286, टैगोर गार्डन एक्सटेंशन, नई दिल्ली-110027 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “जीडब्ल्यूपी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “गिहोन” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/428 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मशीन की बॉडी पर दिए गए छेदों में से लीडिड वायर निकाल कर सीलिंग की जाती है और लीड सील लगाई जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुँच है। बाहरी केलिब्रेशन तक पहुँच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं

[फा. सं. डब्ल्यू एम- 21 (236)/2009]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th November, 2009

S.O. 3270.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "GWP" and with brand name "GIHON" (hereinafter referred to as the said Model), manufactured by M/s. Gihon Weighing Scales, D-286, Tagore Garden Extension, New Delhi-110027 and which is assigned the approval mark IND/09/09/428;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with digital indication of maximum capacity of 1000kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

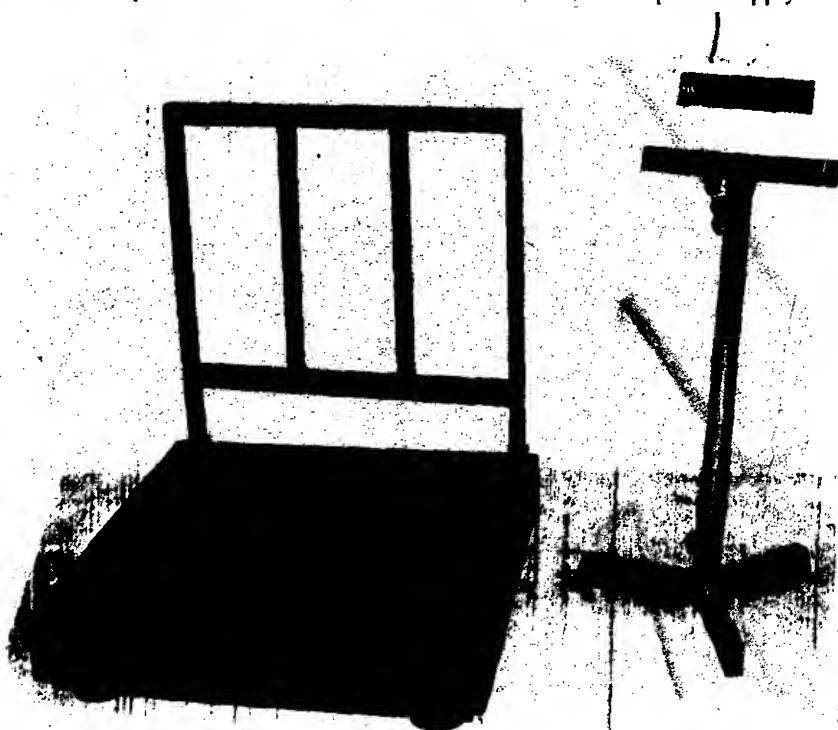


Figure 2—Sealing provision of the Indicator of the model

The Sealing is done by passing a leaded wire through the holes of the body of indicator and lead seal is fixed. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity above 50 kg up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (236)/2009]

R. MATHURBOOTHIAM, Director of Legal Metrology

नई दिल्ली, 16 नवम्बर, 2009

का.आ. 3271.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स गिहोन वेइंग स्केल्स, डी-286, टैगोर गार्डन एक्सटेंशन, नई दिल्ली-110027 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "जोडब्ल्यूटी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "गिहोन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/429 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मशीन की बाँड़ी पर दिए गए छेदों में से लीडिड वायर निकाल कर सीलिंग की जाती है और लीड सील लगाई जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुँच है। बाहरी केलिब्रेशन तक पहुँच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (236)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th November, 2009

S.O. 3271.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of High accuracy (Accuracy class-II) of series "GW1" and with brand name "GIHON" (hereinafter referred to as the said Model), manufactured by M/s. Gihon Weighing Scales, D-286, Tagore Garden Extension, New Delhi-110027 and which is assigned the approval mark IND/09/09/429;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with digital indication of maximum capacity of 30kg and minimum capacity of 100 g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.

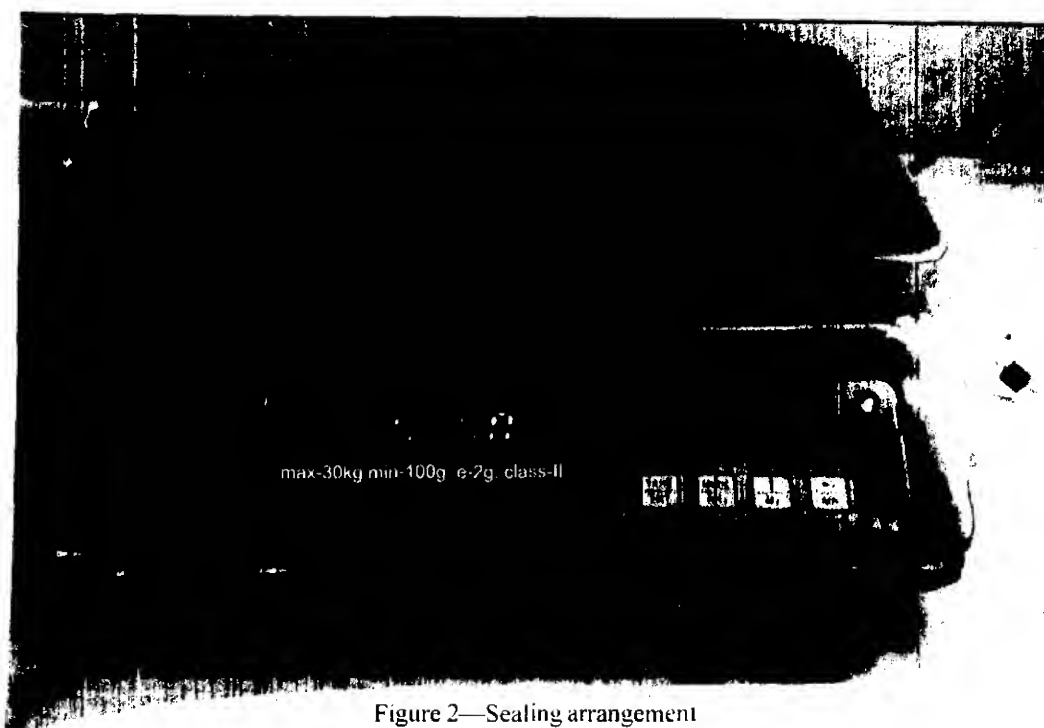


Figure 2—Sealing arrangement

The Sealing is done by passing a leaded wire through the holes on the body of the machine and lead seal is fixed. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity upto 50 kg and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg. to 50mg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21 (236)/2009]

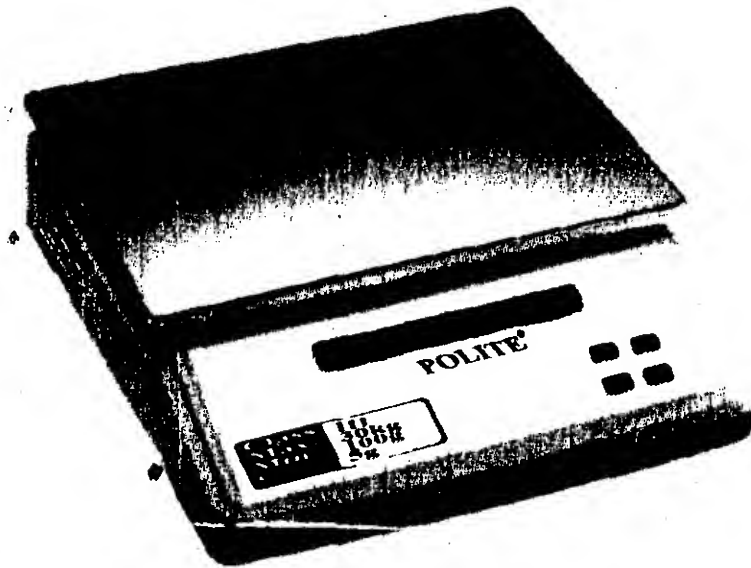
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 नवम्बर, 2009

का.आ. 3272.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पोलाइट वेइंग सोल्यूशंस, प्लाट नं. ई-105, एमआईडीसी, अमबाद, नासिक-422010 (महाराष्ट्र) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "पीओटीटी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "पोलाइट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/431 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत ढाकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



A7935

कपटपूर्ण व्यवहारों से वेइंग मशीन को खोले जाने से रोकने के लिए सीलिंग की जाती है। स्टम्पिंग के लिए स्ट्याम्प प्लेट को स्केल की बाड़ी और स्पेशल स्क्रू में दिए गए छेद में से लीड सील के साथ सीलिंग वायर निकालकर जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड, मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 5,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (234)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th November, 2009

S.O. 3272.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy class-III) of series "POTT" and with brand name "POLITE" (hereinafter referred to as the said Model), manufactured by M/s. Polite Weighing Solutions, Plot No. E-105, M.I.D.C. Ambad, Nashik-422010 (Maharashtra) which is assigned the approval mark IND/09/09/431;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.



Figure-2 Schematic diagram of sealing provision of the model

Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. Stamping plate is connected through sealing wire passing from the body of scale and hole provided at the special screw with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg. to 50mg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 100mg. or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21 (234)/2009]

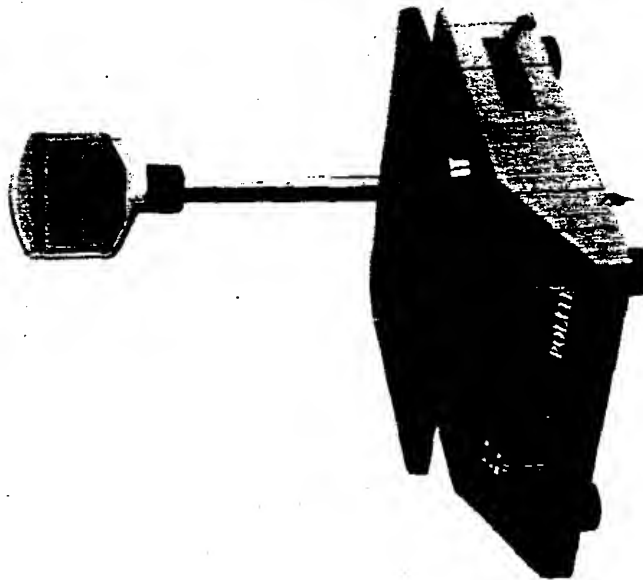
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 नवम्बर, 2009

का.आ. 3273.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पोलाइट वेइंग सोल्यूशंस प्लाट नं. ई-105, एमआईडीसी, अमबाद, नासिक-422 010 (महाराष्ट्र) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले “पीओटी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “पोलाइट” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/430 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. हैं। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



कपटपूर्ण व्यवहारों से वेइंग मशीन को खोले जाने से रोकने के लिए सीलिंग की जाती है। स्टम्पिंग के लिए स्टाम्प प्लेट को स्केल की बाड़ी और स्पेशल स्क्रू में दिए गए छेद में से लीड सील के साथ सीलिंग वायर निकालकर जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (234)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th November, 2009

S.O. 3273.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy class-II) of series "POT" and with brand name "POLITE" (hereinafter referred to as the said Model), manufactured by M/s. Polite Weighing Solutions Plot No. E-105, M.I.D.C. Ambad, Nashik-422 010 (Maharashtra) which is assigned the approval mark IND/09/09/430;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

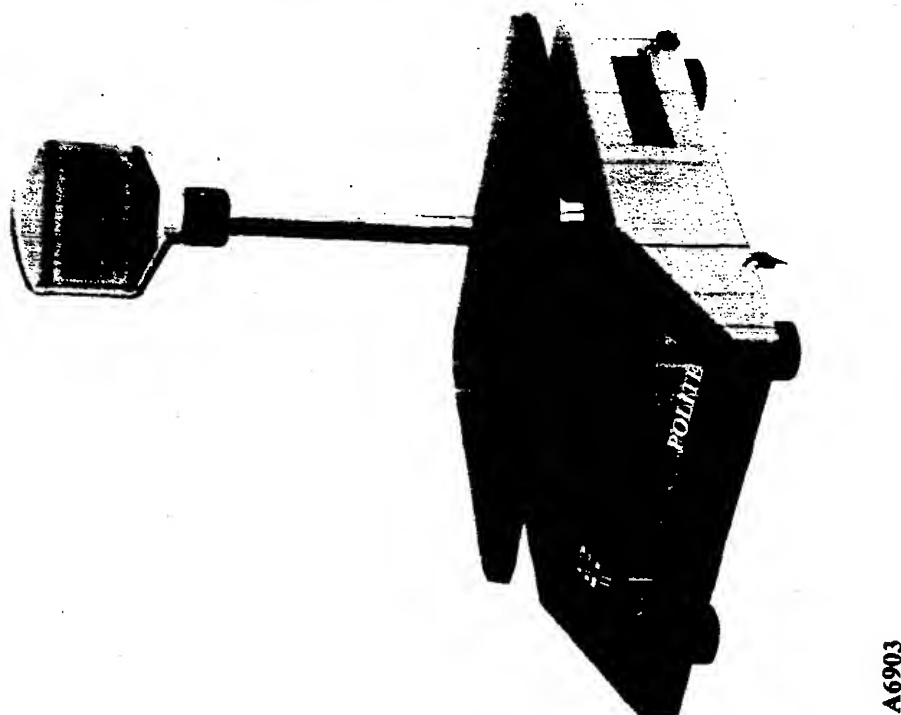


Figure-2 Schematic diagram of sealing provision of the model

Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. Stamping plate is connected through sealing wire passing from the body of scale and hole provided at the special screw with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg. to 50mg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturers in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F.No. WM-21 (234)/2009]

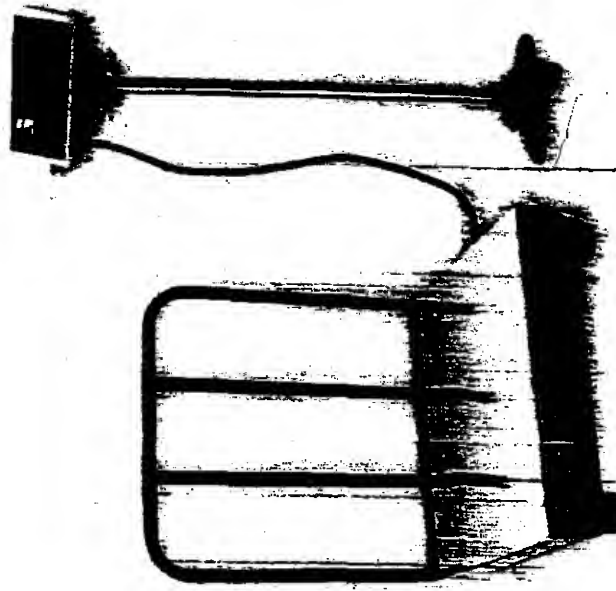
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 नवम्बर, 2009

का.आ. 3274.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स पोलाइट वेइंग सोल्यूसन्स प्लाट नं. ई-105, एमआईडीसी, अमबाद, नासिक-422010 (महाराष्ट्र) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “पीओपीएफ” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “पोलाइट” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/432 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



A6904

कपटपूर्ण व्यवहारों से वेइंग मशीन को खोले जाने से रोकने के लिए सीलिंग की जाती है। स्टम्पिंग के लिए स्टाम्प प्लेट को स्केल की बाड़ी में से लोड सील के साथ सीलिंग वायर निकालकर जोड़ा गया है। माडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी कलिब्रेशन तक पहुंच की सुविधा है। बाहरी कलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. से या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (234)/2009.]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th November, 2009

S.O. 3274.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of Medium Accuracy (Accuracy class-III) of series "POPF" and with brand name "POLITE" (hereinafter referred to as the said model), manufactured by M/s. Polite Weighing Solutions, Plot No. E-105, M.I.D.C. Ambad, Nashik-422010 (Maharashtra) which is assigned the approval mark IND/09/09/432;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

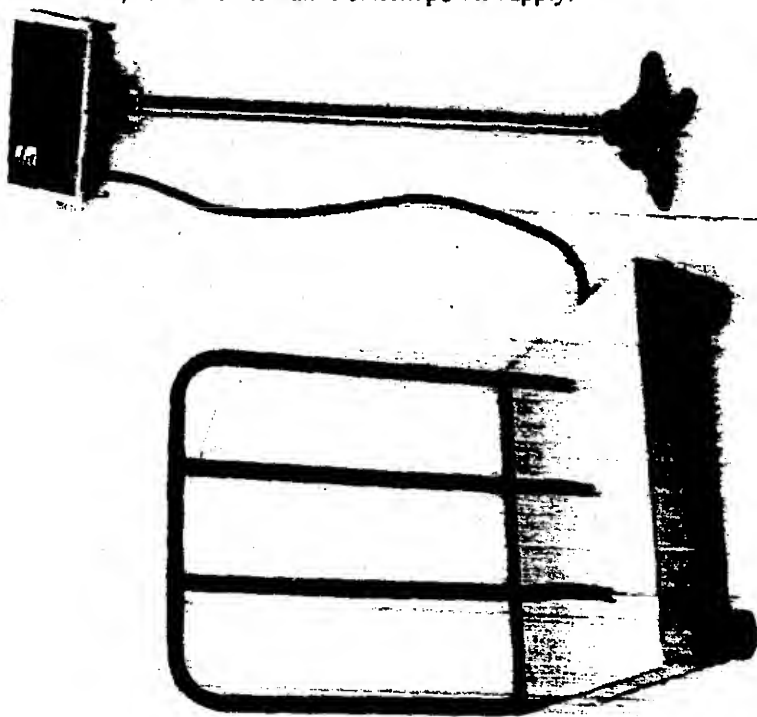


Figure-2 Sealing provision of the indicator of model

Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. Stamping plate is connected through sealing wire passing from the body of scale with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 Kg up to 5000 Kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g, of more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F.No. WM-21 (234)/2009]

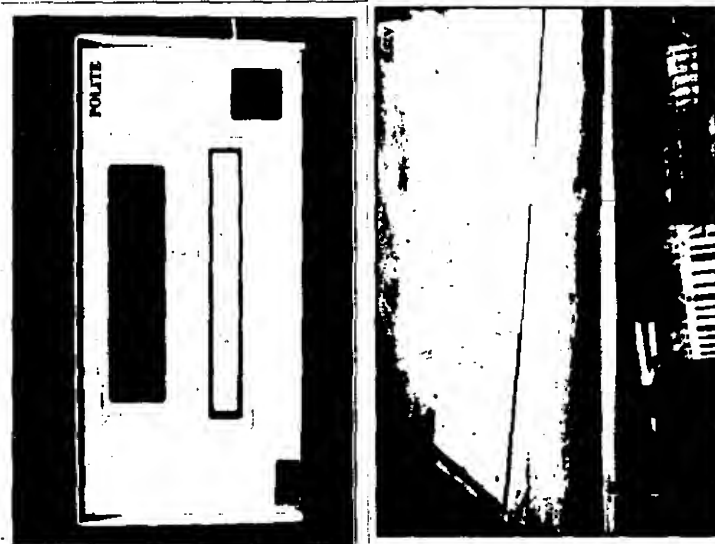
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 नवम्बर, 2009

का.आ. 3275.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स पोलाइट वेइंग सोल्यूसंज प्लाट नं. ई-105, एमआईडीसी, अमबाद, नासिक-422010 (महाराष्ट्र) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "पीओडब्ल्यू" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) के मॉडल का, जिसके ब्रांड का नाम "पोलाइट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/433 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) है। इसकी अधिकतम क्षमता 60 टन और न्यूनतम क्षमता 200 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्केल की पिछली प्लेट में किए गए छेद में सीलिंग की जाती है, तब इन छेदों में से सीलिंग वायर निकाली जाती है। कपटपूर्ण व्यवहारों से वेइंग मशीन को खोले जाने से रोकने के लिए सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. से या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमती वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (234)/2009]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th November, 2009

S.O. 3275.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Weighbridge) with digital indication of Medium accuracy (Accuracy class-III) of series "POW" and with brand name "POLITE" (hereinafter referred to as the said model), manufactured by M/s. Polite Weighing Solutions Plot No. E-105, M.I.D.C. Ambad, Nashik-422010 (Maharashtra) which is assigned the approval mark IND/09/09/433;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge) with a maximum capacity of 60 tonne and minimum capacity of 200 kg. The verification scale interval (e) is 10 kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

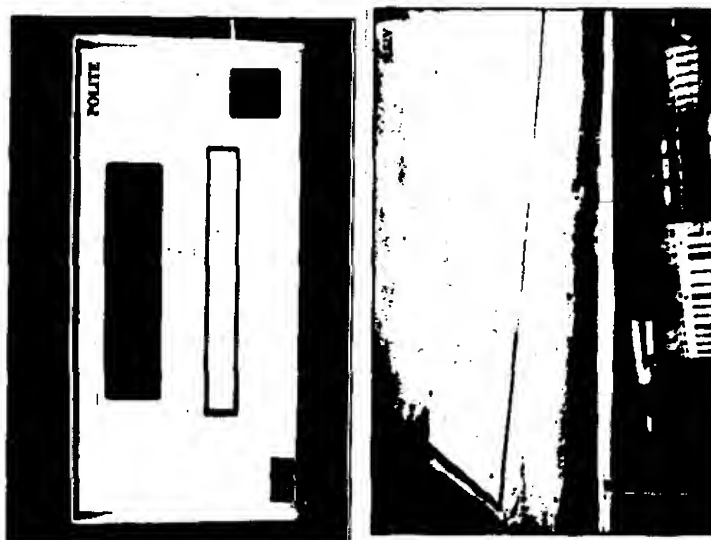


Figure-2 Sealing provision of the indicator of the model

The sealing is done through the hole made in rear plate of the scale, than sealing wire is passed through these holes. Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 5 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or above and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacture in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F.No. WM-21 (234)/2009]

भारतीय मानक ब्यूरो

नई दिल्ली, 13 नवम्बर, 2009

का.आ. 3276.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्थापित हो गए हैं :-

अनुसूची

क्रम सं.	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आई एस /आई ई सी 60127-1: 2006 लघु फ्यूज- भाग 1 लघु फ्यूजों की परिभाषा और लघु फ्यूज- लिंक की सामान्य अपेक्षाएं (पहला पुनरीक्षण)	-	31-03-2009
2	आई एस /आई ई सी 60127- 2: 2003 लघु फ्यूज- भाग 2 कार्ट्रिज फ्यूज-लिंक (पहला पुनरीक्षण)	-	30-06-2009
3	आई एस /आई ई सी 60127- 4: 2005 लघु फ्यूज- भाग 4 यूनिवर्सल मॉड्यूलर फ्यूज-लिंक (यूएमएफ) थ्रू-होल और सतह पर माउंट टाइप	-	31-03-2009

इस भारतीय मानक की एक प्रति भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली- 110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : ईटी 39/टी-18, टी-19 एवं टी-25]

आर. के. त्रेहन, वैज्ञानिक-ई एवं प्रमुख (विद्युत तकनीकी)

BUREAU OF INDIAN STANDARDS

New Delhi, the 13th November, 2009

S.O. 3276.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards, hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl.No.	No. and Year of the Indian Standards	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1	IS/IEC 60127-1 : 2006 Miniature Fuses Part 1 Definitions for miniature fuses and general requirements for miniature fuse-links (First Revision)	--	31 March, 2009
2	IS/IEC 60127-2 : 2003 Miniature Fuses Part 2 Cartridge fuse-links (First Revision)	--	30 June, 2009

(1)	(2)	(3)	(4)
3	IS/IEC 60127-4 : 2005 Miniature Fuses Part 4 Universal Modular fuses-links (UMF) - through-hole and surface mount types	--	31 March, 2009

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: ET39-18, T-19 & T-25]

R. K. TREHAN,, Scientist E & Head (Electro technical)

नई दिल्ली, 17 नवम्बर, 2009

का.आ. 3277.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 9 के उप नियम (1) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए भारतीय मानक/मानकों सम्बंधी मानक मुहर के डिजाइन अधिसूचित करता है :-

अनुसूची

क्रम सं.	मानक मुहर का डिजाइन	उत्पाद की श्रेणी	भारतीय मानक की सं. और वर्ष	लागू होने की तिथि
1	IS15652	इन्सुलेटिड मैट्स फॉर इलैक्ट्रिकल पर्पसज स्विच सॉकेट आउटलेट्स	आई एस 15652:2006	01-11-2007

[संदर्भ : सीएमडी-1/13:9]

पी. के. गम्भीर, उप महानिदेशक (मुहर)

New Delhi, the 17th November, 2009

S.O. 3277.—In pursuance of sub-rule (1) of Rule 9 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards, hereby notifies the Standard Mark (s) for the Indian Standards given in the schedule :--

SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of product	No. & Year of the Indian Standards	Effective date
1	IS 15652 ISI	Insulating mates for electrical purposes	IS 15652:2006	01-11-2007

[Ref: CMD-1/13:9]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 18 नवम्बर, 2009

का.आ. 3278.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के नियम 6 के उप नियम (3) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा नीचे अनुसूची में दिए गए उत्पादों की मुहरांकान शुल्क अधिसूचित करता है :-

अनुसूची

भारतीय मानक सं.	भाग	आ.	वर्ष	उत्पाद	इकाई	न्यूनतम मुहरांकन शुल्क		इकाई	स्लैब	इकाई	स्लैब 2 में	इकाई	प्रचालन
						बड़े पैमाने पर	छोटे पैमाने पर						
14483	1	-	1997	उर्वरक एवं रासायनिक अन्तःक्षेपण पद्धति भाग। वेन्चुरी अन्तःक्षेपक	1 पीस	44400.00	37800.00	0.50	-	-	-	-	25.8.09

[सं.: के प्र वि/13:10]

पी. के. गम्भीर, उप महानिदेशक (मुहर)

New Delhi, the 18th November, 2009

S.O. 3278.—In pursuance of sub-regulation (3) of regulation 6 of the Bureau of Indian Standards (Certification) Regulations 1988, the Bureau of Indian Standards, hereby notifies the Marking fee for the products given in the schedule :

SCHEDULE

IS No.	Part	Sec	Year	Product	Units	Minimum Marking Fee		Unit Rate	Unit in	Unit Rate	Unit in	Rema-ning	Effect-ive Date
						Large Scale	Small Scale						
14483	1	-	1997	Fertilizer and Chemical Injector System Part 1 Ventury Injector	1 Pc.	44400.00	37800.00	0.50	-	-	-	-	25-08-09

[No. CMD/13:10]

P. K. GAMBHIR, Dy. Director General (Marks)

नई दिल्ली, 19 नवम्बर, 2009

का.आ. 3279.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्थापित हो गए हैं :-

अनुसूची

क्रम सं.	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आई एस 15880: 2009 आई जी बी टी कन्वर्टर से बिजली की आपूर्ति वाले तीन फेज की केज प्रेरण मोटर अनुप्रयोग की मार्गदर्शिका	-	30-06-2009
2	आई एस 15881: 2009 आई जी बी टी कन्वर्टर आपूर्ति के लिए विशेष रूप से डिजाइन की गई तीन फेज की केज प्रेरण मोटर -विशिष्ट	-	30-06-2009

इस भारतीय मानक की एक प्रति भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली- 110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ : ईटी 15/टी-89, टी-90]

आर. के. त्रेहन, वैज्ञानिक-ई एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 19th November, 2009

S.O. 3279.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards, hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the indicated against each :

SCHEDULE

Sl.No.	No. and Year of the Indian Standards	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1	IS 15880 : 2009 Three Phase Cage Induction Motors when Fed from IGBT Converters Application Guide	--	30 June, 2009
2	IS 15881 : 2009 Three Phase Cage Induction Motors Specifically Designed for IGBT Converters Supply- Specification	--	30 June, 2009

Copy of this Standard is available with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi- 110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: ET15/T-89,T-90]

R. K. TREHAN,, Scientist E & Head (Electro technical)

कोयला मंत्रालय

नई दिल्ली, 26 नवम्बर, 2009

का.आ. 3280.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) के अधीन भारत सरकार के कोयला मंत्रालय द्वारा जारी की गई अधिसूचना संख्या का.आ.1707, तारीख 8 जून, 2009 जो भारत के राजपत्र के भाग-II, खंड 3, उपखंड (ii), तारीख 20 जून, 2009 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 865.00 हेक्टर (लगभग) या 2137.413 एकड़ (लगभग) है, कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है।

और केन्द्रीय सरकार का यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची (अनुसूचियों) में विनिर्दिष्ट उक्त भूमियों के भाग में कोयला अभिप्राप्त है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम, 1957 की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे संलग्न अनुसूची में वर्णित 752.456 हेक्टर (लगभग) या 1859.31 एकड़ (लगभग) माप की उक्त भूमियों में या उस पर के सभी अधिकारों का अर्जन करने के अपने आशय की सूचना देती है ;

टिप्पण 1 : इस अधिसूचना के अन्तर्गत आनेवाले क्षेत्र के रेखांक सं. एसईसीएल/बीएसपी/जीएम (पीएलजी)/लैंड/358 तारीख 14 सितम्बर, 2009 का निरीक्षण कलेक्टर, कोरबा (छत्तीसगढ़) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कोलकाता-700001 के कार्यालय में या साऊथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर- 495006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

टिप्पण 2 : उक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध है।

अर्जन की बाबत आपत्ति :-

“8(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 की उप-धारा (1) के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण :-

(1) इस धारा के अन्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करना चाहिए।

(2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी, आपत्तिकर्ता को स्वयं सुने जाने, विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है, वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि का या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्टें केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होगा, यदि भूमि या ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाने देगा।”

टिप्पण 3 : केन्द्रीय सरकार ने कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकता - 700001 को उक्त अधिनियम की धारा 3 के अधीन अधिसूचना सं. का.आ. 905, तारीख 20 मार्च 1987 द्वारा जो भारत के राजपत्र, भाग- 11, खंड 3, उपखंड (ii), तारीख 4 अप्रैल, 1987 में प्रकाशित की गई थी, सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची**जटराज ब्लाक दूसरा विस्तार, कुसमुण्डा क्षेत्र****जिला-कोरबा (छत्तीसगढ़)**

(रेखांक सं. एसईसीएल/बीएसपी/जीएम (पीएलजी)/लैंड/358 तारीख 14 सितम्बर, 2009)

सभी अधिकार :**(क) राजस्व भूमि :**

क्रम सं.	ग्राम का नाम	पटवारी हल्का संख्या	ग्राम संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पण
1.	रिस्दी	36	367	कटघोरा	कोरबा	139.793	संपूर्ण
2.	पडनिया	36	364	कटघोरा	कोरबा	242.873	संपूर्ण
3.	पाली	36	365	कटघोरा	कोरबा	131.565	संपूर्ण
4.	जटराज(अनसर्वेड)	36	369	कटघोरा	कोरबा	25.515	भाग
5.	सोनपुरी	36	368	कटघोरा	कोरबा	172.166	भाग

कुल क्षेत्रफल :- 711.912 हेक्टर (लगभग) या 1759.13 एकड़ (लगभग)

(ख) राजस्व वन भूमि :-

क्रम सं.	ग्राम का नाम	पटवारी हल्का संख्या -	ग्राम संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पण
1.	रिस्दी	36	367	कटघोरा	कोरबा	18.518	संपूर्ण
2.	पडनिया	36	364	कटघोरा	कोरबा	0.052	संपूर्ण
3.	पाली	36	365	कटघोरा	कोरबा	0.194	संपूर्ण
4.	जद्राज(अनसर्वेड)	36	369	कटघोरा	कोरबा	0.000	भाग
5.	सोनपुरी	36	368	कटघोरा	कोरबा	21.780	भाग

कुल क्षेत्रफल :- 40.544 हेक्टर (लगभग) या 100.18 एकड़ (लगभग)

कुल योग (क+ख) :- 752.456 हेक्टर (लगभग)

या 1859.31 एकड़ (लगभग)

1. ग्राम रिस्दी (संपूर्ण) में अर्जित किए जाने वाले प्लॉट संख्यांक : 1 से 585
2. ग्राम पडनिया (संपूर्ण) में अर्जित किए जाने वाले प्लॉट संख्यांक : 1 से 968
3. ग्राम पाली (संपूर्ण) में अर्जित किए जाने वाले प्लॉट संख्यांक : 1 से 502
4. ग्राम जद्राज (अनसर्वेड) (भाग) में अर्जित किए जाने वाले प्लॉट संख्यांक : 31 (भाग), 60 (भाग), 61 से 63, 65 से 67, 90 से 92, 95 (भाग), 97, 101, 102, 104, 106, 108, 109, 111, 115, 116, से 118, 123 (भाग), 127, 128, 135 (भाग), 139 से 142, 144, 145, 146 (भाग), 147 से 150, 152 से 159, 161 से 165, 168 से 182, 183 (भाग), 184 से 186, 188, 189, 190 (भाग), 191, 192 (भाग), 231 (भाग), 234, 235, 242, 244, 245, 247, 250 से 255, 257, 259 से 263 ।
5. ग्राम सोनपुरी (भाग) में अर्जित किए जाने वाले प्लॉट संख्यांक : 1 से 322, 323 (भाग), 324, 325 (भाग), 326, 327, 328 (भाग), 336 (भाग), 337 से 416, 417 (भाग), 418 से 420, 421 (भाग), 446 (भाग), 447 से 660 ।

सीमा वर्णन :

- क-ख रेखा बिन्दु "क" से आरंभ होती है और ग्राम रिस्दी-दुरपा, पाली-बरकुटा के सम्मिलित सीमा से गुजरती हुई ग्राम जद्राज-बरकुटा के सम्मिलित सीमा में बिन्दु "ख" पर मिलती है ।
- ख-ग रेखा ग्राम जद्राज से गुजरती हुई ग्राम जद्राज-सोनपुरी के सम्मिलित सीमा में बिन्दु "ग" पर मिलती है ।
- ग-घ रेखा ग्राम सोनपुरी के प्लॉट संख्यांक 328, 325, 323, 336 से होकर प्लॉट संख्यांक 416 के उत्तरी सीमा और 417 से गुजर कर प्लॉट संख्यांक 419 के उत्तरी सीमा तथा 421 से गुजरती है उसके बाद प्लॉट संख्यांक 447 के उत्तरी सीमा से होती हुई बिन्दु "घ" पर मिलती है ।
- घ-ड. रेखा ग्राम सोनपुरी के पूर्वी, दक्षिणी तथा पश्चिमी सीमा से गुजरती हुई ग्राम खैरभावना-सोनपुरी-पडनिया के सम्मिलित सीमा में बिन्दु "ड" पर मिलती है ।
- ड.-च रेखा ग्राम खैरभावना-पडनिया, कनबेरी-पडनिया, जपेली-पडनिया के सम्मिलित सीमा से होती हुई बिन्दु "च" पर मिलती है ।
- च-क रेखा ग्राम जपेली-रिस्दी, आमगांव-रिस्दी, गोवरा-रिस्दी के सम्मिलित सीमा से होती हुई आरंभिक बिन्दु "क" पर मिलती है ।

[फा.सं.-43015/12/2009-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

MINISTRY OF COAL

New Delhi, the 26th November, 2009

S.O. 3280.— Whereas by the notification of the Government of India in the Ministry of Coal number S. O. 1707 dated the 8th June, 2009 issued under sub-section 1 of Section 4 of the Coal Bearing Areas (Acquisition and Development)

Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), and published in the Gazette of India, Part-II, Section 3, Sub-section (ii), dated the 20th June, 2009 the Central Government gave notice of its intention to prospect for coal in 865.00 hectares (approximately) or 2137.413 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification ;

And whereas the Central Government is satisfied that coal is obtainable in a part of the said lands specified in the Schedule (s) appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the lands measuring 752.456 hectares (approximately) or 1859.31 acres (approximately) as 'All rights' in or over the said lands described in the Schedule appended hereto;

Note 1 : The plan bearing Number : SECL/BSP/GM (Plg)/ Land/358 dated 14th September, 2009 of the area covered by this notification may be inspected the office of the Collector, Korba (Chhattisgarh) or at the office of the Coal Controller, 1, Council House Street, Kolkata -700001 or at the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur- 495006 (Chhattisgarh).

Note 2 : Attention is hereby invited to the provisions of Section 8 of the said Act which provides as follows :-

Objection to Acquisition :

“8(1) Any person interested in any land in respect of which a notification under sub-section (1) of Section 7 has been issued, may within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such land.

Explanation :—

(1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operation in the land for the production of coal and that such operation should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either makes a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of the Government.

(3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.”

Note 3 : The Coal Controller, 1, Council House Street, Kolkata, 700001, has been appointed by the Central Government as the competent authority under section 3 of the said Act, vide notification number S.O. 905, dated the 20th March, 1987, published in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 4th April 1987.

SCHEDULE

**Jatraj Block 2nd Extension, Kusmunda Area
District- Korba (Chhattisgarh)**

[Plan No. SECL/BSP/GM(Plg)/ Land/358 dated 14th September, 2009]

All Rights :

(A) Revenue Land

Sl. No.	Name of Village	Patwari-Halka number	Village number	Tahsil	District	Area in Hectares	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	Risdi	36	367	Katghora	korba	139.793	Full
2.	Padania	36	364	Katghora	korba	242.873	Full

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
3.	Pali	36	365	Katghora	korba	131.565	Full
4.	Jatraj (Unsurveyed)	36	369	Katghora	korba	25.515	Part
5.	Sompuri	36	368	Katghora	korba	172.166	Part

Total :- 711.912 hectares (approximately) or 1759.13 Acres (approximately)

(B) REVENUE FOREST LAND

Sl. No.	Name of Village	Patawari Halka number	Village number	Tahsil	District	Area in Hectares	Remarks
1.	Risdi	36	367	Katghora	Korba	18.518	Full
2.	Padania	36	364	Katghora	Korba	0.052	Full
3.	Pali	36	365	Katghora	Korba	0.094	Full
4.	Jatraj (Unsurveyed)	36	369	Katghora	Korba	0.000	Part
5.	Sompuri	36	368	Katghora	Korba	21.780	Part

Total :- 40.544 hectares (approximately) or 100.18 Acres (approximately)

Grand Total(A+B):—752.456 Hectares (approximately)
or 1859.31 Acres (approximately).

1. Plot numbers to be acquired in village Risdi (Full) : 1 to 585.
2. Plot numbers to be acquired in village Padania (Full) : 1 to 968.
3. Plot numbers to be acquired in village Pali (Full) : 1 to 502.
4. Plot numbers to be acquired in village Jatraj (Unsurveyed) (Part) : 31 (Part), 60 (Part), 61 to 63, 65 to 67, 90 to 92, 95 (Part), 97, 101, 102, 104, 106, 108, 109, 111, 115, 116, to 118, 123 (Part), 127, 128, 135 (Part), 139 to 142, 144, 145, 146 (Part), 147 to 150, 152 to 159, 161 to 165, 168 to 182, 183 (Part), 184 to 186, 188, 189, 190 (Part), 191, 192 (Part), 231 (Part), 234, 235, 242, 244, 245, 247, 250 to 255, 257, 259 to 263.
5. Plot numbers to be acquired in village Sompuri (Part) : 1 to 322, 323 (Part), 324, 325 (Part), 326, 327, 328 (Part), 336 (Part), 337 to 416, 417 (Part), 418 to 420, 421 (Part), 446 (Part), 447 to 660.

BOUNDARY DESCRIPTION :

- A-B Line starts from point 'A' and passes along the common boundary of villages Risdi - Durpa, Pali - Barkuta and meets at point "B" on the common boundary of villages Jatraj - Barkuta.
- B-C Line passes through village Jatraj and meets at point 'C' on the common boundary of villages Sompuri-Jatraj.
- C-D Line passes in village Sompuri through plot numbers 328, 325, 323, 336, northern boundary of plot no. 416, through 417, northern boundary of plot no. 419, through 421, northern boundary of plot no. 447 and meets at point "D".
- D-E Line passes along eastern, southern and western village boundary of village Sompuri and meets at point 'E' on the common boundary of villages Sompuri -Khairbhauna-Padania.
- E-F Line passes along the common boundary of village Padania-Khairbhauna, Kanberi-Padania, Padania-Japeli and meets at point 'F'.
- F-A Line passes along the common boundary of villages Risdi-Japeli, Risdi -Amgaon, Risdi-Gevra and meets at starting point "A".

[No. 43015/12/2009-PRIW-1]
M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 27 नवम्बर, 2009

का.आ. 3281.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20), (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का.आ. 1563 तारीख 3 जून, 2009 द्वारा जो भारत सरकार के राजपत्र, भाग-II, खंड 3, उपखंड (ii) तारीख 6 जून, 2009 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट ऐसी भूमि में या उस पर सभी अधिकारों को अर्जन करने के लिए अपने आशय की सूचना दी थी ;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और, केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और छत्तीसगढ़ सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 2094.89 हेक्टेयर (लगभग) या 5174.3783 एकड़ (लगभग) मापवाली भूमि अर्जित की जानी चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषणा करती है कि अनुसूची में प्रथावर्णित 2094.89 हेक्टेयर (लगभग) या 5174.3783 एकड़ (लगभग) मापवाली भूमि और ऐसी भूमि में या उस पर के सभी अधिकार अर्जित किये जाते हैं ।

इस अधिसूचना के अन्तर्गत आने वाले सम्पूर्ण क्षेत्र के रेखांक संख्या एनटीपीसी/टीसीएमपी/एसईसी 9(1)/ तलईपल्ली /09/01 तारीख 1-8-2009 का निरीक्षण जिला कलेक्टर, जिला रायगढ़, छत्तीसगढ़ के कार्यालय में या कोयला नियंत्रक, 1 काउंसिल हाउस स्ट्रीट कोलकाता 700 001 के कार्यालय में, या अपर महाप्रबन्धक (प्रभारी), तलईपल्ली कोल माइनिंग प्रोजेक्ट, एनटीपीसी लिमिटेड, 56, गजानन्दपुरम नगर, कटरा धाना रोड, रायगढ़, छत्तीसगढ़-496 001 के कार्यालय में या उप-महाप्रबन्धक (सीएम-सिविल), एनटीपीसी लिमिटेड, प्रथम तल, पी.डी.आई. एल. बिल्डिंग, सेक्टर-1, नोएडा, उत्तर प्रदेश-201301 के कार्यालय में किया जा सकता है ।

अनुसूची

तलईपल्ली कोल माइनिंग ब्लाक

जिला रायगढ़, छत्तीसगढ़

रेखांक सं. : एनटीपीसी/टीसीएमपी/एसईसी 9(1)/ तलईपल्ली /09/01 तारीख 1-8-2009

सभी अधिकार

(क) राजस्व भूमि

क्र.सं.	ग्राम का नाम	थाना	जिला	थाना सं.	क्षेत्रफल (लगभग)		टिप्पणियां
					हेक्टेयर	एकड़	
1.	अजीजगढ़	घरघोड़ा	रायगढ़	28	20.87	51.5489	भाग
2.	छोटीगुड़ा	घरघोड़ा	रायगढ़	28	319.88	790.1036	भाग
3.	सालेहपल्ली	घरघोड़ा	रायगढ़	27	36.93	91.2171	भाग
4.	रायकेरा	घरघोड़ा	रायगढ़	28	600.83	1484.0501	भाग
5.	नयारामपुर	घरघोड़ा	रायगढ़	28	131.95	325.9165	भाग
6.	बिछीनारा	घरघोड़ा	रायगढ़	28	360.22	889.7434	भाग
7.	तलईपल्ली	तनमार	रायगढ़	28	295.13	728.9711	पूर्ण
8.	कुदुरमहुआ	लेइलुन्गा	रायगढ़	28	121.65	300.4755	भाग
कुल क्षेत्र					1887.46	4662.0262	

(ख) वन भूमि

क्र. सं.	ग्राम का नाम	थाना	जिला	कम्पार्टमेंट संख्या	क्षेत्रफल (लगभग)-		टिप्पणियां
					हेक्टेयर	एकड़	
1.	अजीजगढ़	घरघोड़ा	रायगढ़	531 (भाग)	2.23	5.5081	भाग
2.	छोटीगुढ़ा	घरघोड़ा	रायगढ़	543 (पूर्ण)	19.00	46.9300	पूर्ण
3.	बिछीनारा	घरघोड़ा	रायगढ़	536 (भाग)			भाग
				542 (पूर्ण)	56.50	139.5550	पूर्ण पूर्ण
				543 (पूर्ण)			
				539 (पूर्ण)			पूर्ण
4.	तलईपल्ली	तनमार	रायगढ़	541 (पूर्ण)	111.20	274.6640	पूर्ण
				540 (पूर्ण)			पूर्ण
				535 (भाग)			भाग
				538 (पूर्ण)			पूर्ण
5.	कुदुरमहुआ	लेइलुन्गा	रायगढ़		18.50	45.6950	
				537 (भाग)			भाग
कुल क्षेत्र					207.43	512.3521	

सारांश :

(क)	कुल राजस्व भूमि:	1887.46 हेक्टेयर (लगभग)	= 4662.0262 एकड़ (लगभग)
(ख)	कुल वन भूमि:	207.43 हेक्टेयर (लगभग)	= 512.3521 एकड़ (लगभग)
(ग)	सकल योग (क+ख):	2094.89 हेक्टेयर (लगभग)	= 5174.3783 एकड़ (लगभग)

धारा 9 (1) के अधीन अधिसूचित किये जाने वाले राजस्व प्लोटों की सूची :

1. ग्राम अजीजगढ़ : 25(भाग), 26(भाग), 27(भाग), 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40(भाग) ।
2. ग्राम छोटीगुढ़ा : 50, 52/1, 53, 54, 55/1, 55/2, 56, 57, 58/1, 58/2, 58/3, 58/4, 58/5, 59, 60, 61/1, 61/2, 62, 63/1, 63/2, 63/3, 64, 65, 66(भाग), 70, 71, 76, 83, 84(भाग), 85, 86/1(भाग), 86/2, 86/3, 88, 89, 202(भाग), 212, 213/1, 213/2, 214 से 224, 225(भाग), 226(भाग), 227(भाग), 228 से 232, 238, 239(भाग), 240/1, 240/2, 241 से 244, 245/1, 245/2, 245/3, 246, 247, 248/1, 248/2, 249 से 258, 259/1, 259/2, 260, 261, 262 से 270, 271/1 से 271/8, 272 से 278, 279/1 से 279/3, 280/1 से 280/3, 281 से 293, 294/1, 294/2 से 294/3, 294/4(भाग), 294/7 से 294/10, 294/11(भाग), 295(भाग), 296/2(भाग) 296/3 से 296/5, 297/1 से 297/8, 298, 299, 300/1, से 300/4, 301/2 से 301/3, 302 से 306, 307/1 से 307/3, 308 से 310, 311, 312, 313, 314/1 से 314/2, 315, 316, 317/1, से 317/13, 318 से 320, 321/1, 321/4, 321/5, 321/9 से 321/32, 322 से 325, 326/1 से 326/2, 327 से 329, 330/1, 330/2, 331 से 350, 351/1, 351/2, 352/1, 352/2, 352/3, 353 से 361, 362/1 से 362/10, 363 से 374, 375/1 से 375/5, 376 से 388, 389/1, 389/2, 390 से 396, 397/1, 397/2, 398 से 404, 405/1, 405/2, 406 से 410, 411/1, 411/2, 412 से 415, 416/1, 416/2, 417 से 419, 420/1 से 420/4, 421 से 424, 425/1 से 425/8, 426, 427 से 427/4, 428 से 431, 432/1, 432/2, 433 से 445 ।
3. ग्राम सालेहपल्ली : 192 से 197, 198, 199, 200, 201 से 203, 204(भाग), 205/1, 205/3(भाग), 208, 215(भाग), 216 से 218, 219/5, 221(भाग), 222(भाग), 223(भाग), 236/2, 236/4(भाग), 237, 239, 240/1, 240/2(भाग), 241, 242/1, 242/2(भाग), 249, 273, 316, 320 से 326, 327, 341(भाग), 342 से 344, 345/1 से 345/4, 346, 347, 348/1 से 348/3, 349, 350, 351/1 से 351/7, 352/1 से 352/4, 353 से 360 ।

4. ग्राम रायकेरा : 17(भाग), 18(भाग), 19(भाग), 20/1 से 20/4, 21 से 32, 33/1, 33/2, 34 से 40, 41/1 से 41/4, 42 से 52, 53/1 से 53/2, 54, 55/1, 55/2, 56 से 66, 67/1 से 67/2, 68 69/1, 69/2, 71 से 80, 81/1 से 81/8, 82, 83/1, 83/2, 84 से 90, 91/1 से 91/5, 92 से 93, 94/1, 94/2, 95/1, 95/2, 96 से 100, 101/1, 102, 103/1, 103/2, 104/1, 104/2, 105, 106, 107/1 से 107/3, 108 से 121, 122/1 से 122/8, 123 से 129, 130/1, 130/2, 130/3, 131 से 147, 148/1 से 148/4, 149, 150/1 से 150/3, 151 से 156, 157/1 से 157/3, 158, 160, 161(भाग), 163/1, 163/2(भाग), 166(भाग), 167, 168(भाग), 169, 170/1 से 170/3, 171, 172/1, 172/2, 173, 174, 175/1, 175/2, 176, 177/1, 177/2, 178/1 से 178/5, 179/1 से 179, 180, 181/1, 181/2, 182, 183, 184/1 से 184/4, 185(भाग), 186 से 192, 193/1, से 193/4, 194 से 196, 197/1, 197/2, 198 से 203, 204/1, 204/2, 205, 206/1 से 206/4, 207 से 211, 212/1 से 212/6, 213, 214, 215/1 से 215/8, 216, 217/1, 217/2, 218 से 230, 231/1, 231/2, 232, 233/1, 233/2, 234 से 238, 239/1, 239/2, 239/3, 240/1 से 240/4, 241/1, 241/2, 242/1, 243 से 253, 254/1, 254/2, 255 से 266, 267/1, 267/2, 268, 269, 270/1 से 270/4, 271, 272, 273/1, 273/2, 273/3, 274/1 से 274/4, 275, 276/1, 276/2, 277 से 281, 282/1 से 282/8, 283 से 286, 287/1, 287/2, 288/1 से 288/3, 289/1 से 289/3, 290, 293, 294(भाग), 295/1, से 295/2, 296/1, 296/2, 297 से 301 302/1, 303 से 307, 308, 309, 310/1, 310/2, 311, 312, 313/1 से 313/8, 314 से 318, 319/1 से 319/8, 320 से 327, 328/1, 328/2, 329, 330/1, 330/2, 331 से 336, 337/1, 337/2, 338, 339/1 से 339/6, 339/7(भाग), 339/8(भाग), 339/10, 340, 341, 342/1, 342/2, 342/6, 342/7, 343 से 345, 346/1 से 346/6, 347 से 363, 364/1, 365 से 382, 383/1, 384, 386(भाग), 389, 390(भाग), 393(भाग), 394, 395/1, 396/1, 397(भाग), 398, 399/1, 400, 402, 404, 408, 411/1, 447, 482, 483, 487, 491(भाग), 492(भाग), 493(भाग), 494(भाग), 495, 496, 497/1 से 497/4, 498 से 504, 505/1 से 505/6, 506/1, 506/4, 513(भाग), 514, 515, 535(भाग), 536 से 541, 542, 543 से 548, 549(भाग), 550, 551, 552, 559, 655, 657(भाग) ।

5. ग्राम नयारामपुर : 71, 73/2(भाग), 74/1, 74/2(भाग), 75/1 से 75/3, 76 से 106, 107/1 से 107/5, 108/1 से 108/2, 109 से 111, 112/1 से 112/3, 113 से 115, 116/1, 116/2, 117, 118/1 से 118/17, 119, 120/1 से 120/3, 121 से 122, 123/1 से 123/4, 124 से 129, 130/1 से 130/5, 131/1 से 131/19, 132 से 160, 161/1 से 161/12, 162, 163/1 से 163/3, 164 से 207, 208/1 से 208/4, 209/1 से 209/4, 210 से 219, 220/1 से 220/4, 221 से 241, 242, 243, 244/1, 271(भाग), 272 से 275, 276, 285(भाग), 322, 334, 340(भाग), 341, 349, 350(भाग), 351 से 369, 371 ।

6. ग्राम विछीनारा : 1/1, 2, 3/1 से 3/4, 4, 5/1, 5/2, 6 से 10, 11/1 से 11/3, 12, 13/1 से 13/2, 13/3, 14/1 से 14/4, 15 से 17, 18/1 से 18/2, 19 से 21, 22/1, 22/2, 23, 24 से 24/4, 25, 26, 27/1 से 27/3, 28, 29/1 से 29/5, 29/6, 30 से 35, 36/1 से 36/3, 37, 38/1, 38/2, 39, 40/1, 40/2, 41, 42, 43/1 से 43/5, 44 से 46, 47/1, 47/2, 48 से 52, 53/1, 53/2, 54, 55, 56(भाग), 57, 58, 59(भाग), 63, 64, 66, 67, 70/1, 71, 72 से 73, 74, 75/1, 75/2, 76 से 81, 82/1, 82/2, 83, 84/1 से 84/9, 85, 86/1 से 86/13, 87, 88/1, 89/1, 89/2, 90 से 92, 93/1 से 93/8, 94 से 96, 97/1 से 97/6, 98/1 से 98/2, 99, 100/1, 100/2, 101/1 से 101/13, 102, 103 से 104, 105/1 से 105/6, 106/1 से 106/6, 107 से 114, 115/1 से 115/2, 116 से 122, 123/1 से 123/7, 124, 125, 126/1 से 126/7, 127 से 130, 131/1 से 131/2, 132 से 138, 139/1 से 139/4, 140, 141/1 से 141/2, 142/1 से 142/9, 143/1 से 143/2, 143/5, 144/1 से 144/4, 145, 146/1 से 146/3, 147, 148, 149/1 से 149/7, 150, 151, 152/1, 152/2, 153 से 155, 156/1 से 156/2, 157, 158, 159/1 से 159/7, 160 से 162, 163/1, 163/2, 164/1 से 164/3, 165/1 से 165/3, 166, 167, 168/1, 168/2, 169, 170, 171/1, 171/2 ।

7. ग्राम तलईपल्ली : 1 से 9, 10/1 से 10/3, 11 से 13, 14/1 से 14/3, 15, 16/1 से 16/2, 17, 18/1, से 18/2, 19, 20, 21/1 से 21/2, 22, 23 से 24, 25/1, 25/2, 26/1 से 26/65, 27, 28/1 से 28/5, 29, 30/1 से 30/3, 31, 32/1 से 32/5, 33 से 39, 40/1 से 40/6, 41/1, 41/2, 42, 43/1 से 43/3, 44 से 47, 48/1 से 48/2, 49 से 56, 57/1 से 57/3, 58 से 62, 63/1 से 63/7, 64, 65/1 से 65/7, 66/1, 66/2, 67, 68, 69/1 से 69/4, 70 से 76, 77/1 से 77/3, 78, 79, 80/1 से 80/5, 81 से 86, 87/1 से 87/18, 88 से 91, 92/1 से 92/7, 93/1 से 93/13, 94 से 96, 97/1 से 97/5, 98, 99, 100, 101/1 से 101/2, 102 से 118, 119/1 से 119/5, 120 से 123, 124/1 से 124/5, 125, 126/1 से 126/13, 127 से 129, 130/1 से 130/16, 131/1 से 131/6, 132 से 136 ।

8. ग्राम कुदुरमहुआ : 1, 2, 3, 7(भाग), 18(भाग), 19, 20, 21(भाग), 22 से 89, 90/1 से 90/11, 91, 92, 93, 94, 95 से 107, 108, 109 से 141, 142, 145(भाग), 157(भाग), 158 से 191 ।

धारा 9(1) के अधीन अधिसूचित किए जाने वाले वन कम्पार्टमेंट सं. की सूची :

1. ग्राम अजीजगढ़ : 531(भाग) ।
2. ग्राम छोटीगुढ़ा : 543(पूर्ण) ।
3. ग्राम विछीनारा : 536(भाग), 542 (पूर्ण), 543(पूर्ण) ।
4. ग्राम तलईपल्ली : 539(पूर्ण) 541(पूर्ण), 540(पूर्ण), 535(भाग) ।
5. ग्राम कुदुरमहुआ : 538(पूर्ण), 537(भाग) ।

धारा 9 (1) के अधीन अधिसूचित किए जाने वाले ब्लॉक क्षेत्र का सीमा वर्णन :-

रेखा :- क- ख- ग- ग1- घ- घ1-ङ- ङ1- च : रेखा ग्राम बाहमनपल्ली (थाना लेइलुन्गा) के संरक्षित वन क्षेत्र के भीतर स्थित बिन्दु 'क' से आरम्भ होकर दक्षिण-पूर्व दिशा की ओर जाती हुई ग्राम अजीजगढ़ के प्लाट सं. 35 और 40 तथा ग्राम छोटीगुढ़ा के प्लाट सं. 293, 294/4, 296/2 से गुजरती हुई वन क्षेत्र के भीतर स्थित बिन्दु 'ख' तक बढ़ती है। तत्पश्चात् यह रेखा दक्षिण की ओर जाते हुई ग्राम छोटीगुढ़ा के प्लाट सं. 297/1, 300/2, 300/3 से गुजरती हुई उक्त ग्राम के प्लाट सं. 323 के अन्दर स्थित बिन्दु 'ग' तक जाती है। इसके पश्चात् यह रेखा दक्षिण-पूर्व दिशा की ओर जाती हुई सरकारी वन क्षेत्र से गुजरती हुई ग्राम बिछीनारा (थाना घरघोड़ा) के पश्चिमी सीमा को उक्त ग्राम के प्लाट सं. 59 पर स्थित बिन्दु 'ग1' पर काटती है। इसके पश्चात् यह रेखा उसी दिशा में आगे बढ़ती हुई ग्राम बिछीनारा के प्लाट सं. 56, 63, 67 और 70/1 से गुजरती हुई ग्राम कुदुरमहुआ के प्लाट सं. 3 पर स्थित बिन्दु 'घ' तक जाती है। इसके पश्चात् यह रेखा दक्षिण दिशा में बढ़ती हुई उक्त ग्राम के प्लाट सं. 89 पर स्थित बिन्दु 'घ1' तक बढ़ती है। इसके पश्चात् यह रेखा उत्तर-पूर्व दिशा में जाते हुए प्लाट सं. 21, 20, 19 से गुजरती हुई ग्राम कुदुरमहुआ के प्लाट सं. 17 पर स्थित बिन्दु 'ङ' तक जाती है। इसके पश्चात् यह रेखा दक्षिण-पूर्व दिशा में जाती हुई प्लाट सं. 145, 143, 157 से गुजरती हुई और ग्राम कुदुरमहुआ के पूर्वी सीमा को उक्त ग्राम के प्लाट सं. 160 पर स्थित बिन्दु 'ङ1' पर काटती है। इसके पश्चात् यह रेखा उसी दिशा में बढ़ते हुए ग्राम मरियाकाक्षार के दक्षिणी भाग में संरक्षित वन क्षेत्र के आगे स्थित बिन्दु 'च' पर समाप्त होती है।

रेखा :- च- च1- च2- च3- च4- छ : रेखा ग्राम मरियाकाक्षार के दक्षिणी भाग में स्थित बिन्दु 'च' से आरम्भ होकर नदी के किनारे-किनारे जाती हुई बिन्दु 'च1'-'च2'-'च3'-'च4' से गुजरती हुई ग्राम नयारामपुर (थाना घरघोड़ा) के दक्षिणी पूर्वी किनारे पर स्थित उक्त ग्राम के प्लाट सं. 371 पर स्थित बिन्दु 'छ' पर समाप्त होती है।

रेखा :- छ- ज- ज1- झ- ज- ट : रेखा ग्राम नयारामपुर के प्लाट सं. 371 पर स्थित बिन्दु 'छ' से आरम्भ होकर उत्तर पश्चिम दिशा में जाते हुए प्लाट सं. 365, 340, 341, 273, 272, 242, 71, 350, 276, 244/1 से गुजरती हुई ग्राम रायकेरा के पूर्वी सीमा को प्लाट सं. 383 पर काटती है और प्लाट सं. 381, 385, 389, 393, 397 से गुजरती हुई उक्त ग्राम के प्लाट सं. 399/1 पर स्थित बिन्दु 'ज' तक जाती है। इसके पश्चात् यह रेखा पश्चिम दिशा में जाती हुई प्लाट सं. 408, 339/1, 411/1, 294, 293, 505/6, 655, 515 से गुजरती हुई और ग्राम रायकेरा के प्लाट सं. 552 पर स्थित बिन्दु 'ज1' तक जाती है। उसके पश्चात् यह रेखा उत्तर की ओर जाती हुई ग्राम रायकेरा के प्लाट सं. 17, 20/4, 19 से गुजरती हुई ग्राम सलेहपल्ली के उत्तरी सीमा में उक्त ग्राम के प्लाट सं. 316 पर स्थित बिन्दु 'झ' से प्रवेश करती है। उसके पश्चात् यह रेखा प्लाट सं. 321, 341 से गुजरती हुई और ग्राम सलेहपल्ली के प्लाट सं. 249 पर स्थित बिन्दु 'ज' तक बढ़ती है। उसके पश्चात् यह रेखा पूर्व की ओर आगे बढ़ते हुए ग्राम सलेहपल्ली के प्लाट सं. 241, 239, 221, 215 से गुजरती हुई तथा ग्राम रायकेरा के प्लाट सं. 158 तक बढ़ती है और अन्ततः ग्राम रायकेरा के प्लाट सं. 157/2 पर स्थित बिन्दु 'ट' पर समाप्त होती है।

रेखा :- ट- ठ- क : यह रेखा प्लाट सं. 157/2 पर स्थित बिन्दु 'ट' से आरम्भ होकर उत्तर दिशा में बढ़ते हुए ग्राम रायकेरा के प्लाट सं. 159, 161, 168, 169 और 166 से गुजरती है तथा ग्राम सलेहपल्ली के प्लाट सं. 208 से गुजरती हुई ग्राम रायकेरा के प्लाट सं. 185 और 186 से गुजरती है तथा उसके पश्चात् रेखा ग्राम सलेहपल्ली के प्लाट सं. 205/3, 204 और 203 से गुजरती हुई उक्त ग्राम के उत्तरी सीमा को प्लाट सं. 196 पर काटती है। उसके पश्चात् रेखा उक्त ग्राम के प्लाट सं. 213/2, 226, 227, 231, 232, 237, 239, 84, 64, 65, 56 और 52/1 से गुजरती है। उसके पश्चात् रेखा उसी दिशा में ऊपर की ओर जाती हुई ग्राम अजीजगढ़ के प्लाट सं. 26 से गुजरती हुई उक्त ग्राम के प्लाट सं. 25 पर स्थित बिन्दु 'ठ' पर समाप्त होती है। उसके पश्चात् रेखा उत्तर पूर्व दिशा में बढ़ती हुई ग्राम अजीजगढ़ के प्लाट सं. 26, 27 और 28 से गुजरती है तथा उसके पश्चात् रेखा उसी दिशा में आगे बढ़ती हुई अन्ततः ग्राम बाहमनपल्ली (थाना लेइलुन्गा) के संरक्षित वन क्षेत्र के अन्दर बिन्दु 'क' के उत्तर पूर्व दिशा में स्थित बिन्दु 'क' पर समाप्त होती है।

[सं.-43015/6/2006-पी.आर.आई.डब्ल्यू-1 (वाल्थूम-III)]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 27th November, 2009

S.O. 3281.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 1563, dated the 3rd June, 2009, issued under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part - II, Section- 3, Sub-section (ii), dated the 6th June, 2009, the Central Government gave notice of its intention to acquire the lands and all rights in or over such lands specified in the Schedule appended to that notification;

And, whereas the competent authority in pursuance of Section 8 of the said Act has made his report to the Central Government;

And, whereas the Central Government, after considering the report aforesaid and after consulting the Government of Chhattisgarh, is satisfied that the lands measuring 2094.89 hectares (approximately) or 5174.3783 acres (approximately) and all rights in or over such lands as described in Schedule appended hereto should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 9 of the said Act, the Central Government hereby declares that the land measuring 2094.89 hectares (approximately) or 5174.3783 acres (approximately) and all rights in or over such lands as described in Schedule are hereby acquired;

The plan bearing number NTPC/TCMP/SEC 9(1)/Talaipalli/09/01 dated 01-08-2009 of the area covered by this notification may be inspected in the office of the District Collector, District Raigarh, Chhattisgarh or in the office of the Coal Controller, 1, Council House Street, Kolkatta-700001 or in the office of AGM(I/c), Talaipalli Coal Mining Project, NTPC Ltd., 56, Gajanandpuram, Kotra Thana Road, Raigarh- 496001, Chhattisgarh or in the office of Deputy General Manager (CM-Civil), NTPC Ltd., 1st floor, PDIL Building, Sector-I, Noida, Uttar Pradesh-201301.

SCHEDULE

TALAIPELLI MINING BLOCK

DISTRICT : RAIGARH, CHHATTISGARH

Plan No. : NTPC/TCMP/Sec 9(1)/Talaipalli/09/01 dated 01-08-2009

ALL RIGHTS

(A) REVENUE LAND

Serial number	Village	Thana	District	Thana number	Total area (A pproximately)		Remarks
					Hectare	Acre	
01	Ajijgarh	Gharghoda	Raigarh	28	20.87	51.5489	Part
02	Chotigurha	Gharghoda	Raigarh	28	319.88	790.1036	Part
03	Salehpalli	Gharghoda	Raigarh	27	36.93	91.2171	Part
04	Raikera	Gharghoda	Raigarh	28	600.83	1484.0501	Part
05	Nayarampur	Gharghoda	Raigarh	28	131.95	325.9165	Part
06	Bichinara	Gharghoda	Raigarh	28	360.22	889.7434	Part
07	Talaipalli	Tanmar	Raigarh	28	295.13	728.9711	Full
08	Kudurmahua	Leilunga	Raigarh	28	121.65	300.4755	Part
Total Area					1887.46	4662.0262	

(B) FOREST LAND

Serial number	Village	Thana	District	Compartment number	Total area (A pproximately)		Remarks
					Hectare	Acre	
01	Ajijgarh	Gharghoda	Raigarh	531 (Part)	2.23	5.5081	Part
02	Chotigurha	Gharghoda	Raigarh	543 (Full)	19.00	46.9300	Full
03	Bichinara	Gharghoda	Raigarh	536 (Part)	56.50	139.5550	Part
				542 (Full)			Full
				543 (Full)			Full
04	Talaipalli	Tanmar	Rigarh	539 (Full)	111.20	274.6640	Full
				541 (Full)			Full
				540 (Full)			Full
				535 (Part)			Part
05	Kudurmahua	Leilunga	Raigarh	538 (Full)	18.50	45.6950	Full
				537 (Part)			Part
Total Area					207.43	512.3521	

Summary :

(A) Total Revenue Land :	1887.46 hectares (Approximately)	=	4662.0262 acres (Approximately)
(B) Total Forest Land :	207.43 hectares (Approximately)	=	512.3521 acres (Approximately)
(C) Grand Total (A + B) :	2094.89 hectares (Approximately)	=	5174.3783 acres (Approximately)

List of Revenue Plots to be Notified U/s 9(1) :

1. Village Ajiagarh : 25 (part), 26(part), 27(part), 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 (Part)
2. Village Chotigurha : 50, 52/1, 53, 54, 55/1, 55/2, 56, 57, 58/1, 58/2, 58/3, 58/4, 58/5, 59, 60, 61/1, 61/2, 62, 63/1, 63/2, 63/3, 64, 65, 66(part), 70, 71, 76, 83, 84 (part), 85, 86/1 (part), 86/2, 86/3, 88, 89, 202 (part), 212, 213/1, 213/2 (part), 214 to 224, 225(part), 226(part), 227 (part), 228 to 232, 238, 239 (part), 240/1, 240/2, 241 to 244, 245/1, 245/2, 245/3, 246, 247, 248/1, 248/2, 249 to 258, 259/1, 259/2, 260, 261, 262 to 270, 271/1 to 271/8, 272 to 278, 279/1 to 279/3, 280/1 to 280/3, 281 to 293, 294/1, 294/2 to 294/3, 294/4(part), 294/7 to 294/10, 294/11(part), 295(part), 296/2 (part), 296/3 to 296/5, 297/1 to 297/8, 298, 299, 300/1 to 300/4, 301/2 to 301/3, 302 to 306, 307/1 to 307/3, 308 to 310, 311, 312, 313, 314/1 to 314/2, 315, 316, 317/1 to 317/13, 318 to 320, 321/1, 321/4, 321/5, 321/9 to 321/32, 322 to 325, 326/1, 326/2, 327 to 329, 330/1, 330/2, 331 to 350, 351/1, 351/2, 352/1, 352/2, 352/3, 353 to 361, 362/1 to 362/10, 363 to 374, 375/1 to 375/5, 376 to 388, 389/1, 389/2, 390 to 396, 397/1, 397/2, 398 to 404, 405/1, 405/2, 406 to 410, 411/1, 411/2, 412 to 415, 416/1, 416/2, 417 to 419, 420/1 to 420/4, 421 to 424, 425/1 to 425/8, 426, 427/1 to 427/4, 428 to 431, 432/1, 432/2, 433 to 445.
3. Village Salehpali : 192, 197, 198, 199, 200, 201 to 203, 204 (part), 205/1, 205/3 (part), 208, 215 (part), 216 to 218, 219/5, 221(part), 222(part), 223 (part), 236/2, 236/4 (part), 237, 239, 240/1, 240/2 (part), 241, 242/2 (part), 249, 273, 316, 320 to 326, 327, 341 (part), 342 to 344, 345/1 to 345/4, 346, 347, 348/1 to 348/3, 349, 350, 351/1 to 351/7, 352/1 to 352/4, 353 to 360.
4. Village Raikera : 17(part), 18(part), 19 (part), 20/1 to 20/4, 21 to 32, 33/1, 33/2, 34 to 40, 41/1 to 41/4, 42 to 52, 53/1 to 53/2, 54, 55/1, 55/2, 56 to 66, 67/1 to 67/2, 68, 69/1, 69/2, 71 to 80, 81/1 to 81/8, 82, 83/1, 83/2, 84 to 90, 91/1 to 91/5, 92 to 93, 94/1, 94/2, 95/1, 95/2, 96 to 100, 101/1, 102, 103/1, 103/2, 104/1, 104/2, 105, 106, 107/1 to 107/3, 108 to 122, 122/1 to 122/8, 123 to 129, 130/1, 130/2, 130/3, 131 to 147, 148/1 to 148/4, 149, 150/1 to 150/3, 151 to 156, 157/1 to 157/3, 158, 160, 161 (part), 163/1, 163/2 (part), 166 (part), 167, 168 (part), 169, 170/1 to 170/3, 171, 172/1, 172/2, 173, 174, 175/1, 175/2, 176, 177/1, 177/2, 178/1 to 178/5, 179/1 to 179/7, 180, 181/1, 181/2, 182, 183, 184/1 to 184/4, 185 (part), 186 to 192, 193/1 to 193/4, 194 to 196, 197/1, 197/2, 198 to 203, 204/1, 204/2, 205, 206/1 to 206/4, 207 to 211, 212/1 to 212/6, 213, 214, 215/1 to 215/8, 216, 217/1, 211/2, 218 to 230, 231/1, 231/2, 232, 233/1, 233/2, 234 to 238, 239/1, 239/2, 239/3, 240/1 to 240/4, 241/1, 241/2, 242/1, 243 to 253, 254/1, 254/2, 255 to 266, 267/1, 267/2, 268, 269, 270/1 to 270/4, 271, 272, 273/1, 273/2, 273/3, 274/1 to 274/4, 275, 276/1, 276/2, 277 to 281, 282/1 to 282/8, 283 to 286, 287/1, 287/2, 288/1 to 288/3, 289/1 to 289/3, 290, 293, 294 (part), 295/1 to 295/2, 296/1, 296/2, 297 to 301, 302/1, 303 to 307, 308, 309, 310/1, 310/2, 311, 312, 313/1 to 313/8, 314 to 318, 319/1 to 319/8, 320 to 327, 328/1, 328/2, 329, 330/1, 330/2, 331 to 336, 337/1, 337/2, 338, 339/1 to 339/6, 339/7 (part), 339/8 (part), 339/10, 340, 341, 342/1, 342/2, 342/6, 342/7, 343 to 345, 346/1, to 346/6, 347 to 363, 364/1, 365 to 382, 383/1, 384, 386 (part), 389, 390 (part), 393 (part), 394, 395/1, 396/1, 397 (part), 398, 399/1, 400, 402, 404, 408, 411/1, 447, 482, 483, 487, 491(part), 492 (part), 493 (part), 494 (part), 495, 496, 497/1 to 497/4, 498 to 504, 505/1 to 505/6, 506/1, 506/4, 513 (part), 514, 515, 535 (part), 536 to 541, 542, 543 to 548, 549 (part), 550, 551, 552, 559, 655, 657 (part).
5. Village Nayarampur : 71, 73/2 (part), 74/1, 74/2 (part), 75/1 to 75/3, 76 to 106, 107/1 to 107/5, 108/1 to 108/2, 109 to 111, 112/1 to 112/3, 113 to 115, 116/1, 116/2, 117, 118/1 to 118/17, 119, 120/1 to 120/3, 121 to 122, 123/1 to 123/4, 124 to 129, 130/1 to 130/5, 131/1 to 131/19, 132 to 160, 161/1 to 161/12, 162, 163/1 to 163/3, 164 to 207, 208/1 to 208/4, 209/1 to 209/4, 210 to 219, 220/1 to 220/4, 221 to 241, 242, 243, 244/1, 271(part), 272 to 275, 276, 285(part), 322, 334, 340(Part), 341, 349, 350(part), 351 to 369, 371.
6. Village Bichhinara : 1/1, 2, 3/1 to 3/4, 4, 5/1, 5/2, 6 to 10, 11/1 to 11/3, 12, 13/1 to 13/2, 13/3, 14/1 to 14/4, 15 to 17, 18/1 to 18/2, 19 to 21, 22/1, 22/2, 23, 24/1 to 24/4, 25, 26, 27/1 to 27/3, 28, 29/1 to 29/5, 29/6, 30 to 35, 36/1 to 36/3, 37, 38/1, 38/2, 39, 40/1, 40/2, 41, 42, 43/1 to 43/5, 44 to 46, 47/1, 47/2, 48 to 52, 53/1, 53/2, 54, 55, 56 (part), 57, 58, 59 (part), 63, 64, 66, 67, 70/1, 71, 72 to 73, 74, 75/1, 75/2, 76 to 81, 82/1, 82/2, 83, 84/1 to 84/9, 85, 86/1 to 86/13, 87, 88/1, 89/1, 89/2, 90 to 92, 93/1 to 93/8, 94 to 96, 97/1 to 97/6, 98/1 to 98/2, 99, 100/1, 100/2, 101/1 to 101/13, 102, 103 to 104, 105/1 to 105/6, 106/1 to 106/6, 107 to 114, 115/1 to 115/2, 116 to 122, 123/1 to 123/7, 124, 125, 126/1 to 126/7, 127 to 130, 131/1 to 131/2, 132 to 138, 139/1 to 139/4, 140, 141/1 to 141/2, 142/1 to 142/9, 143/1 to 143/2, 143/5, 144/1 to 144/4, 145, 146/1 to 146/3, 147, 148, 149/1 to 149/1, 150, 151, 152/1, 152/2, 153 to 155, 156/1 to 156/2, 157, 158, 159/1 to 159/7, 160 to 162, 163/1, 163/2, 164/1 to 164/3, 165/1 to 165/3, 166, 167, 168/1, 168/2, 169, 170, 171/1, 171/2.
7. Village Talaipalli : 1 to 9, 10/1 to 10/3, 11 to 13, 14/1 to 14/3, 15, 16/1 to 16/2, 17, 18/1 to 18/2, 19, 20, 21/1 to 21/2, 22, 23 to 24, 25/1, 25/2, 26/1 to 26/65, 27, 28/1 to 28/5, 29, 30/1 to 30/3, 31, 32/1 to 32/5, 33 to 39, 40/1 to 40/6, 41/1, 41/2, 42, 43/1 to

43/3, 44 to 47, 48/1 to 48/2, 49 to 56, 57/1 to 57/3, 58 to 62, 63/1 to 63/7, 64, 65/1 to 65/7, 66/1, 66/2, 67, 68, 69/1 to 69/4, 70 to 76, 77/1 to 77/3, 78, 79, 80/1 to 80/5, 81 to 86, 87/1 to 87/18, 88 to 91, 92/1 to 92/7, 93/1 to 93/13, 94 to 96, 97/1 to 97/5, 98, 99, 100, 101/1 to 101/22, 102 to 118, 119/1 to 119/5, 120 to 123, 124/1 to 124/5, 125, 126/1 to 126/13, 127 to 129, 130/1 to 130/16, 131/1 to 131/6, 132 to 136.

8. Village Kudurmahua : 1, 2, 3, 7 (part), 18 (part), 19, 20, 21 (part), 22 to 89, 90/1 to 90/11, 91, 92, 93, 94, 95 to 107, 108, 109 to 141, 142, 145 (part), 157 (part), 158 to 191.

List of Forest Compartment Nos. to be Notified U/s 9(1):

1. Village Ajiigarh : 531 (part)
2. Village Chotigurha : 543 (Full)
3. Village Bichhinara : 536 (part), 542 (full), 543 (Full).
4. Village Talaipalli : 539 (Full), 541 (Full), 540 (Full), 535 (Part).
5. Village Kudurmahua : 537 (Part), 538 (Full)

Boundary Description of the Block Area to be notified u/s 9(1)

Line A - B - C - C1 - D - D1 - E - E1 - F: The line starts from point 'A' inside the protected forest area of village Bahamanpali (Thana Leilunga) moves in south - east direction through plot numbers 35 and 40 of village Ajiigarh, plot numbers 293, 294/4, 296/2 of village Chotigurha up to point 'B' inside the forest then it moves southward through plot numbers 297/1, 300/2 and 300/3 of village Chotigurha up to point 'C' in the plot number 323 of the said village. It further moves in the south east direction passes through the Government Forest, cuts the western boundary of the village Bichhinara (Thana Gharghoda) at point 'C1' in plot number 59 of the said village. It further moves in the same direction and passes through plot numbers 56, 63, 67 and 70/1 of the village Bichhinara up to point 'D' at plot number 3 of village Kudurmahua. It then moves south ward and passes through point 'D1' at plot number 89 of the said village. It then moves in the north - east direction and passes through plot numbers 21, 20, 19 up to point - E' at plot number 17 of village kudurmahua. It then moves in the south - east direction and passes through plot numbers 145, 143, 157 and cuts the eastern boundary of the village Kudurmahua at point 'E1' at plot number 160 of the said village. It further moves in the same direction and up to point 'F' in the southern part of the village Mariakachhar beyond the protected forest.

Line F - F1 - F2 - F3 - F4 - G : The line starts from point 'F' in the southern part of the village Mariakachhar moves along the bank of the river through the points 'F1', 'F2', 'F3', 'F4' and finally ends at point 'G' in the south-east corner of the village Nayampur (Thana Gharghoda) on the plot number 371 of said village .

Line G - H - H1 - I - J - K : The line starts from point 'G' at plot number 371 of village Nayampur moves in north west direction and passes through plot numbers 365, 340, 341, 349, 273, 272, 242, 71, 350, 276, 244/1 cuts the eastern boundary of village Raikera at plot number 383 passes through plot numbers 381, 385, 389, 393, 397 and point "H" at plot number 399/1 of the said village. The line then moves west Ward and passes through plot numbers 408, 339/8, 411/1, 294, 293, 505/6, 655, 515 and point 'H1' at plot number 552 of the village Raikera. The line then moves north ward and passes through plot numbers 17, 20/4, 19 of village Raikera and enters the village Salehpali at point 'I' in plot number 316 of the said village. It then passes through plot numbers 321, 341 and point 'J' at plot number 249 of the village Salehpali The line then moves east ward and passes through plot numbers 241, 239, 221, 215 of the village Salehpali and plot numbers 158 of the village Raikera and ends at point 'K' on plot number 157/2 of the village Raikera.

Line K - L - A: The line starts from point 'K' at plot number 157/2 moving towards north passing through plot numbers 159, 161, 168, 163 and 166 of village Raikera then passes through plot number 208 of village Salehpali, plot numbers 185 and 186 of village Raikera, then passes through plot numbers 205/3, 204, and 203 of village Salehpali cutting its northern boundary at plot numbers 196 of the said village. The line then passes through plot numbers 213/2, 226, 227, 231, 232, 237, 239, 84, 64, 65, 56 and 52/1 of said village. The line then moves upward in the same direction passing through plot number 26 of village Ajiigarh and ends at point 'L' of plot number 25 of said village. The line then moves in the north-east direction passes through plot numbers 26, 27 and 28 of village Ajiigarh. The line then moves further in the same direction and finally ends at point 'A' in the protected forest of village Bahamanpali (Thana Leilunga) north-east to point 'L'.

[No.- 43015/6/2006/PRW-I (Vol. III)]

M. SHAHABUDEEN, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 23 नवम्बर, 2009

का. आ. 3282.— केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पारादीप (उड़ीसा) से रायपुर (छत्तीसगढ़) एवं राँची (झारखण्ड) तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा "पारादीप - न्यू सम्बलपुर - रायपुर - राँची पाइपलाइन" बिछाई जानी चाहिये;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि, जिसके नीचे पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, उसमें उपयोग के अधिकार का अर्जन करने के लिए भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में श्री सुकान्त कुमार प्रधान, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पारादीप - न्यू सम्बलपुर - रायपुर - राँची पाइपलाइन परियोजना, 1295, फॉरेस्ट पार्क, भुवनेश्वर - 751009 (उड़ीसा) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील - पिपिलि	जिला - पुरी	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
सुरोल	251	00	01	14
	244	00	00	46
	243	00	19	44
	239	00	13	19
	238	00	17	15
	258	00	00	20
	259	00	03	66
	235	00	08	03
	234	00	08	87
	266	00	07	01
	267	00	21	52
	274	00	00	98
	94	00	01	19

तहसील - पिपिलि	जिला - पुरी	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	93	00	01	32
	30	00	00	10
	31	00	18	45
	32	00	06	17
	39	00	10	90
	38	00	12	34
लक्ष्मीनारायणपुर	1504	00	09	44
	1520	00	01	29
	1505	00	13	93
	1519	00	16	77
	1518	00	09	52
	1480	00	01	01
	1465	00	13	32
	1462	00	00	30
	1459	00	05	09
	1461	00	05	75
	1563	00	04	46
	1450	00	05	55
	1449	00	01	95
	1447	00	01	43
	1446	00	04	65
	1291	00	00	68
	1290	00	00	56
	1289	00	00	79
	1288	00	00	71
	1287	00	01	14
	652	00	22	74
	651	00	05	04
बिलिपडा	51	00	02	50
	62	00	11	58
	1042	00	02	98
	76	00	06	68
	77	00	08	82
	78	00	00	30
	79	00	10	38
	82	00	00	40
	95	00	07	45
	181	00	00	38

सहस्रील - विविलि	जिला - पुरी	राज्य - उड़ीसा		
		हैक्टैयर	कैत्रफल	वर्ग मीटर
1	2	3	4	5
	182	00	06	28
	183	00	07	25
	184	00	01	18
	185	00	07	26
	175	00	09	40
	176	00	09	54
	178	00	00	30
	177	00	03	97
	188	00	00	69
	189	00	10	51
	191	00	10	62
	206	00	02	45
	204	00	08	60
	203	00	08	76
	211	00	11	04
	212	00	00	33
	213	00	14	62
	214	00	08	53
	231	00	05	92
	232	00	00	30
	226	00	02	68
	229	00	00	85
	228	00	01	45
	242	00	08	16
	243	00	05	29
	244	00	10	05
	246	00	00	30
	248	00	03	51
	245	00	04	01
	247	00	03	51
	257	00	00	18
	256	00	17	64
	260	00	09	90
	259	00	01	53
	262	00	07	91
	261	00	04	85
	265	00	00	45
	266	00	15	82

तहसील - पिपिलि	जिला - पुरी	राज्य - उड़ीसा		
		क्षेत्रफल	क्षेत्रफल	क्षेत्रफल
गांव का नाम	प्लॉट नं.	हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
कुंजर	267	00	00	54
	865	00	06	07
	873	00	01	69
	1100	00	20	48
	1108	00	02	04
	1110	00	15	84
	1121	00	10	24
	1118	00	00	11
	1120	00	03	19
	1119	00	01	69
	1132	00	03	96
	1133	00	09	64
	1131	00	00	10
	1138	00	17	73
	1141	00	00	20
	1142	00	11	15
	1145	00	01	37
हरीअन्ता	741	00	09	93
	740	00	00	20
	736	00	01	80
	737	00	11	61
	738	00	00	73
	735	00	01	63
	733	00	02	19
	732	00	03	57
	730	00	01	08
	721	00	02	29
	716	00	04	75
	715	00	00	10
	717	00	01	02

तहसील - पिपिलि	जिला - पुरी	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	719	00	00	22
	718	00	02	31
	710	00	00	26
	704	00	00	25
	708	00	09	80
	709	00	00	47
	707	00	01	07
	705	00	02	79
	631	00	01	55
	402	00	02	13
	401	00	01	19
	10	00	09	84
	9	00	01	13
	7	00	01	71
गोविन्दपुर	199	00	03	92
	198	00	06	05
	195	00	07	40
	194	00	03	55
	162	00	07	98
	161	00	00	10
	163	00	10	91
	192	00	00	20
	191	00	00	78
	165	00	03	01
	164	00	00	48
	155	00	00	30
	148	00	00	27
	146	00	03	32
	147	00	12	44
	144	00	04	66

तहसील - पिथिलि	जिला - पुरी	सज्ज - उद्दिष्ट		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एकर	वर्ग मीटर
1	2	3	4	5
	143	00	04	27
	142	00	06	42
	141	00	04	48
	105	00	00	10
	112	00	04	01
	110	00	06	94
	108	00	07	16
	91	00	02	66
	92	00	00	20
	76	00	07	84
	64	00	07	49
	65	00	02	66
	66	00	02	64
	57	00	01	85
	67	00	05	56
	68	00	01	39
	52	00	09	90
	51	00	01	75
आरुहा	893	00	00	72
	871	00	07	00
	872	00	00	86
	870	00	26	46
	867	00	07	60
	866	00	01	23
	856	00	00	77
	857	00	01	95
	858	00	00	10
	860	00	02	79
	859	00	02	80
	861	00	01	93

तहसील - विधिलि	जिला - पुरी	राज्य - उड़ीसा		
		हेक्टेयर	क्षेत्रफल	वर्ग मीटर
1	2	3	4	5
	278	00	02	38
	277	00	01	81
	276	00	01	98
	275	00	01	75
	274	00	03	31
	934	00	00	20
	174	00	00	10
	175	00	16	90
	176	00	00	22
	172	00	12	84
	171	00	03	68
	170	00	02	89
	169	00	06	45
	168	00	01	99
	166	00	04	91
सिउला	2679	00	00	32
	2678	00	01	71
	2677	00	06	61
	2676	00	05	31
	2675	00	00	93
	2643	00	01	27
	2642	00	06	48
	2640	00	04	90
	2644	00	00	10
	2639	00	03	04
	2638	00	00	52
	2637	00	01	20
	2634	00	04	64
	2633	00	02	68
	2632	00	07	75

तहसील - पिपिलि	जिला - पुरी	राज्य - उड़ीसा		
		क्षेत्रफल	क्षेत्रफल	क्षेत्रफल
गांव का नाम	प्लॉट नं.	हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	2564	00	02	62
	2563	00	00	30
	2392	00	05	88
	2391	00	05	58
	2390	00	02	25
	2389	00	04	77
	2403	00	07	23
	2388	00	00	30
	2404	00	10	68
	2405	00	00	11
	2385	00	09	23
	2384	00	01	65
	2374	00	11	16
	2375	00	09	05
	2370	00	00	82
	2350	00	02	22
	2361	00	03	30
	2351	00	00	80
	2352	00	00	41
	2360	00	10	05
	2359	00	00	30
	2358	00	10	40
	2357	00	02	35
	2356	00	01	10
	2695	00	00	20
	2330	00	06	27
	2568	00	05	59
	2566	00	00	55
	2567	00	05	69
	507	00	08	27

तहसील - पिपिलि	जिला - पुरी	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	508	00	04	63
	506	00	07	90
	509	00	00	10
	497	00	08	76
	496	00	04	40
	477	00	04	84
	476	00	01	17
	475	00	04	07
	474	00	01	55
	444	00	00	66
	443	00	01	66
	442	00	00	54
	375	00	19	81
	386	00	04	35
	387	00	02	83
	388	00	12	62
	389	00	08	06
	366	00	00	17
	390	00	02	68
	391	00	08	36
	392	00	07	31
	395	00	00	30
	394	00	00	10
	362	00	03	77
	361	00	04	36
	360	00	03	80
	346	00	00	30
	399	00	00	17
	400	00	05	66
	402	00	05	34

तहसील - पिपिलि	जिला - पुरी	राज्य - उड़ीसा		
		हेक्टेयर	क्षेत्रफल एयर	वर्ग मीटर
1	2	3	4	5
माटिआपडा - 2	401	00	01	14
	403	00	03	08
	404	00	01	16
	344	00	05	59
	214	00	01	58
	213	00	05	14
	212	00	06	57
	211	00	16	82
	210	00	00	51
	205	00	00	69
	204	00	00	92
	203	00	01	14
	280	00	01	17
	281	00	05	00
	282	00	04	17
	283	00	01	48
	285	00	15	07
	284	00	06	89
	67	00	01	28
	26	00	02	45
	25	00	14	39
	27	00	04	31
	22	00	01	83
	21	00	13	84
	20	00	06	20
	19	00	04	20
	16	00	07	92
	15	00	01	85
	14	00	08	20
	12	00	02	79

तहसील - बिपिलि	जिला - पुरी	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
पमसरा	13	00	03	20
	4	00	12	03
	3	00	03	89
	2	00	01	98
	779	00	07	35
	480	00	01	28
	479	00	00	10
	475	00	03	80
	345	00	09	45
	340	00	03	34
	341	00	00	98
	339	00	02	60
	338	00	03	60
	337	00	03	36
	335	00	00	74
	306	00	00	10
	336	00	12	68
	331	00	10	26
	307	00	05	07
	308	00	04	73
	310	00	00	10
	302	00	05	56
	301	00	03	86
	298	00	05	43
	299	00	03	12
	300	00	00	46
	268	00	01	05
	267	00	00	98
	265	00	01	00
	229	00	01	76

तहसील - पिपिलि	जिला - पुरी	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.		क्षेत्रफल	
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	225	00	03	32
	226	00	02	64
	227	00	01	42
	223	00	08	07
	220	00	02	76
	269	00	02	29
	161	00	03	72
	44	00	01	44
	21	00	00	10
	20	00	04	64
	19	00	02	07
	5	00	00	97
	59	00	01	24
	60	00	01	85
	62	00	21	64

[फा. सं. आर.-25011/14/2009-ओ.आर.-1]

बी. के. दत्ता, अवर सचिव

Ministry of Petroleum and Natural Gas

New Delhi, the 23rd November, 2009

S. O. 3282.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Paradip (Orissa) to Raipur (Chhattisgarh) & Ranchi (Jharkhand), "Paradip - New Sambalpur - Raipur - Ranchi Pipeline" should be laid by Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty-one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Sri Sukanta Kumar Pradhan, Competent Authority, Indian Oil Corporation Limited, Paradip-New Sambalpur - Raipur - Ranchi Pipeline Project, 1295, Forest Park, Bhubaneswar-751009, (Orissa).

SCHEDULE

Tehsil : PIPILI		District : PURI		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
SAROL	251	00	01	14	
	244	00	00	46	
	243	00	19	44	
	239	00	13	19	
	238	00	17	15	
	258	00	00	20	
	259	00	03	66	
	235	00	08	03	
	234	00	08	87	
	266	00	07	01	
	267	00	21	52	
	274	00	00	98	
	94	00	01	19	
	93	00	01	32	
	30	00	00	10	
	31	00	18	45	
	32	00	06	17	
	39	00	10	90	
	38	00	12	34	
LAKSHMINARAYANPUR	1504	00	09	44	
	1520	00	01	29	
	1505	00	13	93	
	1519	00	16	77	
	1518	00	09	52	
	1480	00	01	01	
	1465	00	13	32	
	1462	00	00	30	
	1459	00	05	09	
	1461	00	05	75	

Tehsil : PIPILI		District : PURI		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	1563	00	04	46	
	1450	00	05	55	
	1449	00	01	95	
	1447	00	01	43	
	1446	00	04	65	
	1291	00	00	68	
	1290	00	00	56	
	1289	00	00	79	
	1288	00	00	71	
	1287	00	01	14	
	652	00	22	74	
	651	00	05	04	
BILIPARA	51	00	02	50	
	62	00	11	58	
	1042	00	02	98	
	76	00	06	68	
	77	00	08	82	
	78	00	00	30	
	79	00	10	38	
	82	00	00	40	
	95	00	07	45	
	181	00	00	38	
	182	00	06	28	
	183	00	07	25	
	184	00	01	18	
	185	00	07	26	
	175	00	09	40	
	176	00	09	54	
	178	00	00	30	
	177	00	03	97	

Tehsil: PIPILI		District: PURI		State: ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	188	00	00	69	
	189	00	10	51	
	191	00	10	62	
	206	00	02	45	
	204	00	08	60	
	203	00	08	76	
	211	00	11	04	
	212	00	00	33	
	213	00	14	62	
	214	00	08	53	
	231	00	05	92	
	232	00	00	30	
	226	00	02	68	
	229	00	00	85	
	228	00	01	45	
	242	00	08	16	
	243	00	05	29	
	244	00	10	05	
	246	00	00	30	
	248	00	03	51	
	245	00	04	01	
	247	00	03	51	
	257	00	00	18	
	256	00	17	64	
	260	00	09	90	
	259	00	01	53	
	262	00	07	91	
	261	00	04	85	
	265	00	00	45	
	266	00	15	82	

Tehsil : PIPILI		District : PURI		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
KUNJAR	267	00	00	54	
	865	00	06	07	
	873	00	01	69	
	1100	00	20	48	
	1108	00	02	04	
	1110	00	15	84	
	1121	00	10	24	
	1118	00	00	11	
	1120	00	03	19	
	1119	00	01	69	
	1132	00	03	96	
	1133	00	09	64	
	1131	00	00	10	
	1138	00	17	73	
	1141	00	00	20	
	1142	00	11	15	
HARIANTA	1145	00	01	37	
	741	00	09	93	
	740	00	00	20	
	736	00	01	80	
	737	00	11	61	
	738	00	00	73	
	735	00	01	63	
	733	00	02	19	
	732	00	03	57	
	730	00	01	08	
	721	00	02	29	
	716	00	04	75	
	715	00	00	10	
	717	00	01	02	

Tehsil : PIPILI		District : PURI		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	719	00	00	22	
	718	00	02	31	
	710	00	00	26	
	704	00	00	25	
	708	00	09	80	
	709	00	00	47	
	707	00	01	07	
	705	00	02	79	
	631	00	01	55	
	402	00	02	13	
	401	00	01	19	
	10	00	09	84	
	9	00	01	13	
	7	00	01	71	
GOBINDPUR	199	00	03	92	
	198	00	06	05	
	195	00	07	40	
	194	00	03	55	
	162	00	07	98	
	161	00	00	10	
	163	00	10	91	
	192	00	00	20	
	191	00	00	78	
	165	00	03	01	
	164	00	00	48	
	155	00	00	30	
	148	00	00	27	
	146	00	03	32	
	147	00	12	44	
	144	00	04	66	

Taluk: PUPPI		District: PUNE		State: GUJARAT	
Name of the Village	Plot NO.	Area			
		Hectare	Acre	Sq. mtr.	
1	2	3	4	5	
	148	00	04	27	
	142	00	08	42	
	144	00	04	40	
	105	00	00	10	
	112	00	04	01	
	110	00	00	94	
	100	00	07	10	
	91	00	02	00	
	92	00	00	20	
	70	00	07	00	
	64	00	07	40	
	65	00	02	00	
	66	00	02	00	
	57	00	01	00	
	67	00	05	50	
	68	00	01	30	
	52	00	00	00	
	51	00	01	75	
ARUHA	803	00	00	72	
	871	00	07	00	
	872	00	00	00	
	870	00	20	40	
	887	00	07	00	
	800	00	01	22	
	850	00	00	77	
	857	00	01	90	
	850	00	00	10	
	800	00	02	70	
	850	00	02	80	
	801	00	01	93	

Tahsil : PUNJ		District : PUNJ			State : INDIA		
Name of the Village	Plot NO.	Area			Machan	Area	Bunker
		3	4	5			
SIJLA	278	00	02	28			
	277	00	01	01			
	276	00	01	00			
	275	00	01	75			
	274	00	03	31			
	994	00	00	20			
	174	00	00	00			
	175	00	16	00			
	176	00	00	22			
	172	00	12	04			
	171	00	03	08			
	170	00	02	00			
	169	00	06	46			
	168	00	01	00			
	166	00	04	01			
	2679	00	00	32			
	2678	00	01	71			
	2677	00	06	61			
	2676	00	06	31			
	2675	00	00	93			
	2643	00	01	27			
	2642	00	08	46			
	2640	00	04	90			
	2644	00	00	10			
	2639	00	03	04			
	2638	00	00	52			
	2637	00	01	20			
	2634	00	04	64			
	2633	00	02	08			
	2632	00	07	75			

Tehsil : PIPILI		District : PURI		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	2564	00	02	62	
	2563	00	00	30	
	2392	00	05	88	
	2391	00	05	58	
	2390	00	02	25	
	2389	00	04	77	
	2403	00	07	23	
	2388	00	00	30	
	2404	00	10	68	
	2405	00	00	11	
	2385	00	09	23	
	2384	00	01	65	
	2374	00	11	16	
	2375	00	09	05	
	2370	00	00	82	
	2350	00	02	22	
	2361	00	03	30	
	2351	00	00	80	
	2352	00	00	41	
	2360	00	10	05	
	2359	00	00	30	
	2358	00	10	40	
	2357	00	02	35	
	2356	00	01	10	
	2695	00	00	20	
	2330	00	06	27	
	2568	00	05	59	
	2566	00	00	55	
	2567	00	05	69	
	507	00	08	27	

Tehsil : PIPILI		District : PURI		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	508	00	04	63	
	506	00	07	90	
	509	00	00	10	
	497	00	08	76	
	496	00	04	40	
	477	00	04	84	
	476	00	01	17	
	475	00	04	07	
	474	00	01	55	
	444	00	00	66	
	443	00	01	66	
	442	00	00	54	
	375	00	19	81	
	386	00	04	35	
	387	00	02	83	
	388	00	12	62	
	389	00	08	06	
	366	00	00	17	
	390	00	02	68	
	391	00	08	36	
	392	00	07	31	
	395	00	00	30	
	394	00	00	10	
	362	00	03	77	
	361	00	04	36	
	360	00	03	80	
	346	00	00	30	
	399	00	00	17	
	400	00	05	66	
	402	00	05	34	

Tehsil : PIPILI		District : PURI		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Acre	Sq.mtr.	
1	2	3	4	5	
MATIAPARA-2	401	00	01	14	
	403	00	03	08	
	404	00	01	16	
	344	00	05	59	
	214	00	01	58	
	213	00	05	14	
	212	00	06	57	
	211	00	18	82	
	210	00	00	51	
	205	00	00	69	
	204	00	00	92	
	203	00	01	14	
	280	00	01	17	
	281	00	05	00	
	282	00	04	17	
	283	00	01	48	
	285	00	15	07	
	284	00	06	89	
	67	00	01	28	
	26	00	02	45	
	25	00	14	39	
	27	00	04	31	
	22	00	01	83	
	21	00	13	84	
	20	00	06	20	
	19	00	04	20	
	16	00	07	92	
	15	00	01	85	
	14	00	08	20	
	12	00	02	79	

Tehsil : PPTI		District : PURI		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
PAMASARA	13	00	03	20	
	4	00	12	03	
	3	00	03	89	
	2	00	01	98	
	779	00	07	35	
	480	00	01	28	
	479	00	00	10	
	475	00	03	80	
	345	00	09	45	
	340	00	03	34	
	341	00	00	98	
	339	00	02	60	
	338	00	03	60	
	337	00	03	36	
	335	00	00	74	
	308	00	00	10	
	336	00	12	68	
	331	00	10	28	
	307	00	05	07	
	308	00	04	73	
	310	00	00	10	
	302	00	05	56	
	301	00	03	86	
	298	00	05	43	
	299	00	03	12	
	300	00	00	46	
	268	00	01	05	
	267	00	00	98	
	265	00	01	00	
	229	00	01	76	

Tehsil : PIPILI		District : PURI		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	225	00	03	32	
	226	00	02	64	
	227	00	01	42	
	223	00	08	07	
	220	00	02	76	
	269	00	02	29	
	161	00	03	72	
	44	00	01	44	
	21	00	00	10	
	20	00	04	64	
	19	00	02	07	
	5	00	00	97	
	59	00	01	24	
	60	00	01	85	
	62	00	21	64	

[F. No. R-25011/14/2009-O.R.-I]

B.K.DATTA, Under Secy.

नई दिल्ली, 23 नवम्बर, 2009

का. आ. 3283.— केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि पारादीप (उड़ीसा) से रायपुर (छत्तीसगढ़) एवं राँची (झारखण्ड) तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा "पारादीप - न्यू सम्बलपुर - रायपुर - राँची पाइपलाइन" बिछाई जानी चाहिये;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि, जिसके नीचे पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, में उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर; उसमें उपयोग के अधिकार का अर्जन करने के लिए भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में श्री सुकान्त कुमार प्रधान, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पारादीप - न्यू सम्बलपुर - रायपुर - राँची पाइपलाइन परियोजना, 1295, फॉरेस्ट पार्क, भुवनेश्वर - 751009 (उड़ीसा) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
ओडपडा	1043	00	16	81
	414	00	00	10
	415	00	00	87
	416	00	01	37
	432	00	00	97
	481	00	00	51
	480	00	00	26
	482	00	03	20
	506	00	00	10
	505	00	00	15
	504	00	00	35
	483	00	03	89
	479	00	00	10
	502	00	00	10
	500	00	00	39
	494	00	00	66
	495	00	00	10
	493	00	01	20
	484	00	00	75
	485	00	00	55
	489	00	00	34
	490	00	01	23
	491	00	01	03
	492	00	00	10
	488	00	02	27
	463	00	00	20
	462	00	00	10
	292	00	06	10
	540	00	00	10

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	541	00	00	65
	291	00	02	66
	542	00	01	38
	543	00	00	86
	289	00	01	06
	290	00	02	15
	299	00	00	37
	287	00	07	41
	270	00	00	27
	269	00	01	00
	264	00	01	64
	265	00	00	80
	261	00	02	27
	263	00	00	70
	262	00	01	21
	260	00	00	16
	259	00	01	41
	255	00	00	10
	256	00	01	21
	257	00	00	35
	251	00	00	10
	250	00	01	59
	249	00	00	90
	235	00	00	65
	233	00	00	66
	248	00	00	97
	236	00	00	81
	237	00	00	13
	239	00	01	46
	232	00	00	78

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
		क्षेत्रफल		
गांव का नाम	प्लॉट नं.	हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	211	00	00	70
	231	00	02	86
	226	00	01	53
	213	00	00	73
	225	00	00	62
	1064	00	02	15
	214	00	01	41
	1065	00	01	21
	216	00	00	47
	215	00	00	93
	220	00	01	24
	221	00	01	32
	222	00	01	30
	223	00	00	10
सिठालो	6468	00	05	39
	6469	00	03	39
	6434	00	01	11
	6436	00	04	06
	6435	00	05	69
	6433	00	03	48
	6432	00	01	85
	6431	00	00	54
	6430	00	05	25
	6722	00	00	10
	6391	00	00	10
	6392	00	02	72
	6393	00	02	34
	6394	00	02	94
	6395	00	03	09
	6347	00	00	31

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	6346	00	08	05
	6398	00	00	50
	6344	00	03	41
	6021	00	04	71
	6020	00	00	20
	6022	00	01	07
	6014	00	12	92
	6063	00	07	80
	6064	00	07	57
	5997	00	12	56
	5995	00	00	10
	5996	00	00	31
	5929	00	03	29
	5932	00	00	48
	5930	00	00	90
	5931	00	00	90
	5863	00	00	46
	5864	00	00	90
	5862	00	03	97
	5861	00	04	86
	5828	00	01	06
	5827	00	01	26
	5825	00	09	34
	5826	00	05	59
	4733	00	03	15
	4736	00	01	41
	4732	00	00	59
	4737	00	03	64
	4707	00	02	36
	4706	00	03	24

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	4705	00	01	22
	4570	00	01	28
	4569	00	00	83
	4571	00	06	17
	4524	00	03	40
	4525	00	01	36
	4523	00	03	32
	4521	00	02	30
	4522	00	03	13
	4514	00	01	94
	4515	00	01	40
	4517	00	00	75
	4518	00	00	68
	4516	00	02	78
	4414	00	00	30
	4413	00	00	23
	4412	00	00	35
	4411	00	07	39
	4365	00	01	58
	4361	00	02	13
	4362	00	01	60
	4363	00	01	10
	4364	00	02	10
	4366	00	03	36
	4369	00	00	10
	4370	00	01	18
	4181	00	16	99
	4371	00	00	86
	4374	00	01	89
	4375	00	00	10

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	4180	00	01	61
	4179	00	01	65
	4178	00	01	60
	4177	00	06	15
	4176	00	00	45
	4376	00	00	10
	4172	00	00	30
	4147	00	01	10
	4146	00	00	10
	4149	00	01	06
	4148	00	00	93
	4150	00	01	77
	4151	00	01	54
	4152	00	01	69
	4038	00	01	07
	4039	00	02	83
	4041	00	02	64
	4040	00	00	78
	6493	00	00	71
	4032	00	01	68
	4044	00	07	28
	4018	00	20	59
	3755	00	02	49
	3758	00	01	32
	3757	00	01	28
	3756	00	01	14
	3745	00	03	64
	3747	00	00	79
	3748	00	02	21
	3746	00	01	71

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	3749	00	02	37
	3738	00	09	61
	3723	00	02	84
	3728	00	00	10
	3729	00	00	27
	3727	00	05	63
	3724	00	01	73
	3725	00	01	50
	3726	00	02	03
	3730	00	00	75
	3734	00	06	07
अमरपडा	1502	00	00	61
	1503	00	00	57
	1632	00	01	86
	1631	00	00	56
	1504	00	05	94
	1629	00	01	38
	1630	00	00	48
	1627	00	00	10
	1628	00	02	79
	1623	00	02	61
	1620	00	00	17
	1622	00	00	93
	1621	00	01	62
	1614	00	00	40
	1612	00	03	24
	1611	00	00	59
	1610	00	00	39
	1613	00	00	83
	1602	00	01	84

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	1606	00	00	83
	1603	00	02	14
	1604	00	03	36
	1601	00	00	16
	1600	00	01	26
	1605	00	00	62
	1597	00	01	62
	1598	00	00	40
	1527	00	00	20
	1596	00	06	27
	1594	00	01	66
	1595	00	00	60
	1538	00	00	20
	1539	00	02	52
	1592	00	00	19
	1540	00	01	29
	1558	00	00	52
	1534	00	00	30
	1542	00	00	10
	1541	00	01	75
	1556	00	02	42
	1555	00	05	71
	1423	00	01	08
	1730	00	01	04
	1420	00	53	91
	1896	00	03	64
	1324	00	01	64
	1323	00	01	92
	1322	00	01	82
	1919	00	00	75

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	517	00	00	10
	518	00	00	11
	519	00	03	62
	520	00	05	94
	521	00	01	49
	523	00	00	10
	522	00	00	60
	528	00	00	53
	529	00	00	49
	530	00	01	12
	531	00	01	21
	549	00	00	39
	548	00	00	27
	547	00	00	15
	532	00	03	64
	533	00	01	76
	534	00	04	09
	535	00	01	70
	536	00	00	78
	538	00	02	77
	539	00	15	14
	620	00	00	10
	622	00	01	02
	637	00	01	96
	636	00	02	83
	635	00	00	77
	634	00	01	07
	639	00	00	73
	641	00	00	81
	1888	00	00	30

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	640	00	00	28
	642	00	00	81
	650	00	06	92
	643	00	01	49
	644	00	01	43
	646	00	03	33
	645	00	00	10
	647	00	02	43
	649	00	02	08
	648	00	02	00
	661	00	00	79
	782	00	01	59
	815	00	03	33
	816	00	05	58
	817	00	00	29
दिधि	2959	00	00	82
	2960	00	07	77
	2955	00	00	30
	2963	00	01	35
	2938	00	00	54
	2925	00	00	23
	2924	00	01	28
	2923	00	02	31
	2921	00	01	92
	2922	00	00	81
	2920	00	00	20
	2919	00	03	18
	1307	00	00	42
	1308	00	02	59
	1310	00	00	44

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	1309	00	02	50
	1300	00	00	15
	1314	00	03	28
	1316	00	00	81
	1315	00	01	86
	859	00	03	12
	1294	00	00	10
	871	00	01	77
	860	00	00	76
	870	00	02	40
	872	00	03	42
	869	00	00	82
	868	00	00	10
	874	00	00	85
	3041	00	02	11
	873	00	01	62
	876	00	01	82
	878	00	00	40
	3161	00	01	98
	879	00	00	44
	880	00	00	95
	906	00	02	18
	908	00	00	30
	907	00	00	79
	904	00	00	43
	914	00	02	00
	915	00	01	02
	916	00	02	28
	917	00	00	10
	913	00	01	04

तहसील - निम्नलिखित	जिला - कटक	राज्य - चडीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	918	00	00	39
	923	00	00	28
	922	00	01	62
	921	00	01	02
	925	00	00	14
	3043	00	02	98
	926	00	00	94
	920	00	02	35
	3008	00	00	12
	976	00	04	03
	977	00	00	36
	979	00	01	21
	981	00	02	20
	980	00	00	10
	982	00	00	61
	1141	00	05	24
	986	00	03	42
	1119	00	03	84
	3035	00	00	54
	987	00	01	17
	988	00	02	03
	989	00	01	94
	990	00	01	50
	991	00	01	74
	992	00	00	60
	1073	00	13	13
	1108	00	00	34
	1109	00	00	10
	1107	00	00	47
	1106	00	00	59

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	1105	00	00	88
	1104	00	03	64
	1103	00	02	04
	1102	00	07	10
	1074	00	05	38
	1083	00	00	15
	1084	00	01	64
	1086	00	00	89
	1085	00	00	39
	1087	00	09	01
	1088	00	00	77
	1089	00	00	22
बरिसण	4282	00	02	74
	4281	00	01	88
	4280	000	000	283
	5440	00	06	14
	4279	00	00	20
	5304	00	00	82
	3885	00	00	71
	3886	00	01	30
	3884	00	00	10
	3898	00	11	52
	3900	00	00	10
	3899	00	00	10
	3901	00	02	06
	3902	00	01	10
	3903	00	01	63
	3904	00	01	86
	3905	00	02	44
	3906	00	03	52

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	3914	00	00	10
	3913	00	00	22
	3907	00	01	07
	3911	00	01	69
	3908	00	00	81
	5294	00	00	10
	3912	00	00	61
	3873	00	02	43
	3872	00	01	16
	3871	00	00	27
	3962	00	04	18
	3961	00	01	99
	3960	00	01	10
	3959	00	00	33
	3887	00	01	78
	3974	00	01	90
	3833	00	02	23
	3975	00	01	24
	3976	00	01	64
	3977	00	00	69
	3978	00	02	35
	3979	00	00	74
	3995	00	00	23
	3994	00	02	58
	3993	00	00	45
	3996	00	02	28
	3828	00	00	36
	3827	00	00	43
	3826	00	00	10
	3997	00	01	36

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	3998	00	02	85
	3999	00	03	96
	4011	00	00	10
	4000	00	03	54
	4010	00	00	62
	4009	00	03	41
	4003	00	00	45
	4004	00	00	10
	4007	00	02	10
	4008	00	02	24
	4015	00	00	60
	3811	00	00	29
	3810	00	00	71
	4045	00	01	84
	4049	00	01	91
	3809	00	04	06
	4054	00	01	51
	4055	00	01	52
	4056	00	00	24
	4053	00	03	27
	4052	00	00	47
	2966	00	05	68
	2967	00	01	25
	2976	00	00	10
	2975	00	00	20
	2965	00	00	48
	2968	00	01	78
	2969	00	01	68
	2972	00	00	52
	2971	00	00	62

तहसील . निआलि	जिला . कटक	राज्य . उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	2970	00	00	85
	2960	00	01	94
	2959	00	02	39
	2759	00	00	10
	2761	00	00	72
	2760	00	01	36
	2762	00	02	54
	2764	00	00	42
	2763	00	01	21
	2768	00	00	15
	2766	00	01	88
	2767	00	01	02
	2765	00	01	01
	2770	00	00	25
	2740	00	07	69
	2739	00	00	10
	2738	00	00	51
	2737	00	00	73
	2736	00	01	16
	2684	00	00	15
	2685	00	05	78
	2686	00	03	66
	2687	00	02	19
	2688	00	00	56
	2654	00	25	93
	2628	00	00	10
	2627	00	02	10
	2625	00	06	00
	2624	00	03	44

तहसील . निआलि	जिला . कटक	राज्य . उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	2425	00	10	70
	2626	00	00	10
	2623	00	00	10
	2426	00	00	30
	2424	00	03	42
	2423	00	05	85
	2419	00	00	15
	2422	00	05	25
	2421	00	06	45
	2460	00	00	25
	2461	00	01	44
	2496	00	00	60
	2497	00	02	29
	2462	00	01	26
	547	00	04	14
बरगुडिकुद	529	00	02	16
	535	00	00	45
	534	00	00	80
	849	00	00	75
	853	00	01	95
	852	00	02	05
	858	00	10	16
	866	00	00	30
	865	00	00	10
	867	00	04	12
	868	00	05	76
	870	00	00	56
	388	00	00	72
	387	00	00	54
	386	00	00	72

तहसील . निआलि	जिला . कटक	राज्य . उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	383	00	00	25
	345	00	12	65
	344	00	00	99
	347	00	01	60
	342	00	00	10
	341	00	03	20
	348	00	04	08
	349	00	00	20
	340	00	02	10
	350	00	09	50
	329	00	01	36
	323	00	01	59
	324	00	01	37
	320	00	06	02
	321	00	00	20
	318	00	13	55
	248	00	06	71
	247	00	03	18
	252	00	04	24
	246	00	03	53
	244	00	00	90
	242	00	00	79
	243	00	18	00
	140	00	00	52
	100	00	05	15
	101	00	07	29
	102	00	19	96
	122	00	00	10
	104	00	06	84

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गाँव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	106	00	00	76
	118	00	00	30
	117	00	07	99
	116	00	07	71
	129	00	00	20
	112	00	01	01
	113	00	05	79
	114	00	07	19
	130	00	03	82
	131	00	02	12
बढिआ साहि	3481	00	00	92
	3657	00	02	61
	3658	00	04	97
	3659	00	01	46
	3662	00	00	34
	3663	00	00	15
	3660	00	00	36
	3661	00	00	81
	3664	00	00	82
	3629	00	04	26
	3669	00	01	45
	3962	00	00	10
	3665	00	02	14
	3668	00	02	47
	3667	00	00	50
	3666	00	00	85
	3652	00	03	30
	3673	00	01	26
	3687	00	01	21
कसरदा	2673	00	19	33

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	2664	00	05	19
	2672	00	02	89
	2663	00	04	06
	2665	00	05	25
	2671	00	01	51
	2670	00	04	05
	2662	00	00	29
	2666	00	00	40
	2669	00	00	20
	2668	00	00	23
	2667	00	00	40
	2661	00	00	81
	2677	00	01	00
	2678	00	00	93
	3810	00	00	88
	2679	00	01	06
	3593	00	01	12
	3806	00	00	10
	3807	00	00	18
	3808	00	00	10
	3809	00	00	20
	2704	00	01	81
	2703	00	07	29
	2702	00	05	75
	2758	00	10	66
	2759	00	02	46
	2760	00	02	37
	2761	00	04	29
	2762	00	00	39
	2767	00	05	59

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	2768	00	12	66
	2789	00	00	20
	2787	00	06	47
	2770	00	01	53
	2771	00	01	24
	2774	00	02	12
	2786	00	05	76
	2785	00	00	22
	3576	00	04	23
	2790	00	03	87
	2791	00	04	08
	2792	00	01	82
	3728	00	04	96
	3644	00	03	04
	3203	00	01	98
	3202	00	01	91
	3201	00	04	61
	3200	00	01	92
	3199	00	03	33
	3197	00	03	91
	3192	00	03	70
	3193	00	00	18
	3188	00	03	64
	3189	00	06	77
	3168	00	10	58
	3169	00	10	52
	3172	00	02	70
	3171	00	02	94
	3170	00	04	36
	3138	00	08	43

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	3137	00	03	68
	3136	00	01	14
	3135	00	00	88
	3078	00	03	33
	3691	00	03	11
	3079	00	00	10
	3080	00	07	11
	3111	00	01	47
	3112	00	01	79
	3110	00	00	12
	3113	00	01	66
	3114	00	01	26
	3115	00	02	32
	3116	00	00	10
	3085	00	08	45
	3026	00	00	45
	3025	00	02	57
	3028	00	01	55
	3029	00	01	81
	3032	00	01	30
	3033	00	02	00
	3036	00	01	33
	3019	00	00	10
	3037	00	04	56
	3039	00	02	26
	3619	00	00	14
	3018	00	01	75
	3017	00	05	28
	3015	00	02	08
	2499	00	01	11

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	2500	00	04	61
	1912	00	03	70
	3625	00	06	35
	1911	00	04	77
	1913	00	00	24
	1925	00	00	35
	1920	00	04	09
	1919	00	10	44
	1921	00	02	12
	1922	00	00	20
	1923	00	00	10
	2434	00	00	76
	2435	00	03	20
	2432	00	02	67
	2430	00	02	92
	2431	00	04	45
	2420	00	00	59
	2421	00	06	95
	2422	00	04	77
	2423	00	02	39
	2424	00	00	80
	2339	00	05	75
खजरा	1527	00	06	06
	1475	00	03	00
	1476	00	11	29
	1443	00	10	84
	1477	00	02	38
	1442	00	09	44
	1445	00	00	84
	1446	00	00	58

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	1447	00	00	23
	1266	00	05	26
	1265	00	02	42
	1264	00	01	20
	1263	00	04	23
	1262	00	03	54
	1261	00	03	57
	1259	00	02	61
	1258	00	00	81
	1257	00	01	56
	1256	00	00	91
	1255	00	00	89
	1251	00	01	97
	1250	00	01	19
	1246	00	02	73
	1244	00	01	26
	1243	00	01	48
	1242	00	02	45
	1241	00	03	28
	2402	00	01	42
	1240	00	02	06
	1239	00	01	59
	1238	00	01	53
	1237	00	01	77
	1236	00	02	05
	1235	00	02	87
	1217	00	00	15
	1222	00	04	76
	1232	00	00	25
	1231	00	02	39

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	1230	00	01	03
	1229	00	00	88
	1228	00	01	07
	1227	00	00	95
	1225	00	05	00
	1223	00	01	88
	28	00	01	41
	26	00	01	83
	25	00	01	24
	24	00	01	17
	23	00	01	78
	22	00	04	29
	19	00	04	62
	18	00	07	34
	2387	00	02	70
	17	00	00	10
	15	00	02	73
	16	00	00	36
	14	00	02	82
	13	00	02	23
	12	00	02	58
	11	00	03	58
	10	00	02	92
	9	00	02	78
	8	00	02	39
	7	00	00	80
	6	00	00	37
	5	00	00	10
	29	00	06	60
	47	00	00	10

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	46	00	00	36
	44	00	02	82
	43	00	02	33
	42	00	01	33
	40	00	01	88
	39	00	01	82
	38	00	02	02
	35	00	02	09
	33	00	02	24
	32	00	02	31
	31	00	02	84
	30	00	00	10
कुसुनपुर	210	00	06	12
	208	00	02	75
	209	00	00	83
	201	00	00	10
	207	00	08	87
	212	00	00	20
	198	00	00	20
	205	00	04	52
	197	00	06	09
	196	00	11	07
	192	00	00	62
	195	00	06	72
	213	00	00	30
	236	00	10	27
	247	00	04	15
	246	00	02	14
	245	00	04	31
	248	00	05	64

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	252	00	05	11
	253	00	00	10
	254	00	01	08
	257	00	06	16
	256	00	03	86
	255	00	03	41
	275	00	05	23
	276	00	08	40
	288	00	04	13
	291	00	06	42
	290	00	06	69
गोपालनगर	1226	00	02	85
	1231	00	02	94
	1229	00	03	16
	1232	00	02	37
	1221	00	00	42
	1198	00	01	91
	1199	00	03	22
	1214	00	00	16
	1213	00	05	72
	1201	00	02	02
	1200	00	00	45
	1202	00	00	54
	1203	00	00	10
	1212	00	04	85
	1211	00	02	26
	1210	00	05	68
	1147	00	05	54
	1208	00	05	44
	1154	00	05	86

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	1155	00	04	51
	1161	00	07	20
	1162	00	05	73
	1163	00	03	36
	1140	00	00	46
	1131	00	10	99
	1132	00	02	19
	1128	00	01	54
	1136	00	03	02
	1088	00	07	58
	1086	00	00	17
	1087	00	00	83
	1089	00	02	03
	1091	00	06	73
	1092	00	06	91
	1090	00	00	14
	1094	00	04	64
	1095	00	04	05
	1096	00	01	73
	1097	00	00	80
	1034	00	10	01
	1035	00	00	67
	1099	00	00	50
	1026	00	05	36
	1025	00	10	83
	1027	00	02	26
	1024	00	00	10
	204	00	02	85
	43	00	05	28
	42	00	00	10

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	44	00	01	34
	45	00	02	08
	53	00	01	61
	52	00	01	73
	51	00	05	04
	56	00	04	21
	57	00	00	59
	66	00	03	50
	58	00	03	51
	68	00	01	62
	65	00	00	54
	59	00	01	74
	60	00	02	28
	61	00	05	37
	64	00	00	23
	62	00	04	11
	63	00	05	27
	111	00	02	96
	112	00	04	11
	113	00	01	85
	109	00	02	30
	108	00	04	34
	125	00	00	39
	127	00	10	29
	107	00	01	64
	128	00	07	39
	129	00	05	05
	130	00	00	45
नोदा	217	00	03	27
	216	00	04	68

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	215	00	03	99
	214	00	01	78
	213	00	03	56
	173	00	08	35
	174	00	00	42
	1676	00	01	32
	1675	00	01	31
	1674	00	01	23
	1673	00	02	62
	179	00	02	75
	180	00	02	00
	1671	00	01	41
	72	00	04	84
	57	00	32	06
	22	00	01	64
	23	00	03	54
	24	00	04	81
	25	00	00	82
अडसपुर	4025	00	00	41
	4024	00	01	03
	4029	00	05	37
	4646	00	02	46
	4647	00	02	36
	4607	00	02	40
	4606	00	01	91
	4605	00	02	90
	4601	00	04	01
	4604	00	08	73
	4602	00	02	14
	4603	00	00	10

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	4536	00	02	58
	4537	00	06	40
	4542	00	01	92
	4543	00	00	10
	4541	00	00	97
	4540	00	00	10
	4534	00	02	93
	4535	00	06	02
	4538	00	02	52
	4533	00	00	35
	4532	00	03	15
	4531	00	00	10
	2745	00	04	17
	2746	00	00	10
	2748	00	01	61
	2749	00	02	60
	2750	00	07	51
	2751	00	06	93
	2752	00	00	10
	5105	00	06	48
	4471	00	00	64
	4470	00	02	92
	4469	00	00	39
	2756	00	01	60
	4468	00	00	10
	2757	00	02	96
	2758	00	11	44
	2780	00	00	16
	2779	00	01	44
	2778	00	03	35

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	2777	00	04	55
	2791	00	05	99
	2776	00	00	51
	2790	00	01	89
	2792	00	01	94
	2789	00	01	35
	2793	00	00	52
	2795	00	01	28
	2788	00	05	40
	2796	00	02	56
	2794	00	00	10
	2797	00	00	31
	2808	00	05	97
	2807	00	00	24
	2806	00	13	44
	2559	00	05	61
	2560	00	00	27
	2558	00	00	10
	2360	00	02	74
	2359	00	02	79
	2358	00	05	78
	2356	00	00	83
	2357	00	00	80
	2364	00	06	07
	2319	00	04	57
	5101	00	03	79
	2318	00	01	83
	2329	00	00	22
	2313	00	00	81
	2312	00	00	78

तहसील - निआलि	जिला - कटक	राज्य - उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	2311	00	02	83
	2310	00	00	36
	2308	00	00	49
	2307	00	00	10
	2306	00	01	60
	2304	00	06	66
	2305	00	00	16
	2303	00	02	03
	2302	00	01	30
	2282	00	07	71
	2281	00	00	10
	2277	00	00	10
	2205	00	01	15
	2202	00	08	91
	2283	00	00	88
	2285	00	00	33
	2201	00	00	98
	2200	00	01	86
	2199	00	02	25
	2203	00	00	50
	2198	00	01	44
	2197	00	01	27
	2196	00	03	14
	2109	00	01	41
	2110	00	07	67
	2130	00	07	28
	2128	00	00	10
	2129	00	01	23
	2177	00	00	12
	2131	00	02	59

तहसील . निआलि	जिला . कटक	राज्य . उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	2132	00	02	26
	2127	00	01	12
	2133	00	03	83
	2140	00	08	72
	2141	00	06	95
	5003	00	00	75
	2142	00	00	15
	2146	00	01	50
	2145	00	00	72
	2144	00	03	24
	2149	00	01	90
	2143	00	00	72
	663	00	00	84
	662	00	12	30
	660	00	05	15
	661	00	02	75
सलेइबेदपुर	555	00	07	72
	557	00	11	38
	567	00	00	20
	549	00	02	28
	548	00	02	84
	568	00	00	11
	569	00	03	30
	571	00	01	29
	577	00	01	84
	579	00	09	44
	576	00	00	10
	581	00	04	82
	580	00	00	97
	532	00	25	11

तहसील . निआलि	जिला . कटक	राज्य . उड़ीसा		
गांव का नाम	प्लॉट नं.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
	182	00	01	71
	181	00	01	44
	180	00	01	12
	179	00	01	35
	175	00	01	70
	174	00	02	04
	173	00	01	53
	13	00	18	46
	22	00	00	29
	15	00	02	81
	16	00	00	27
	14	00	06	20
	44	00	01	34
	11	00	04	28
	12	00	15	09
	10	00	56	80
	9	00	08	37
	8	00	05	28
	7	00	02	09

[फा. सं. आर.-25011/15/2009-ओ.आर.-1]

बी. के. दत्ता, अवर सचिव

New Delhi, the 23rd November, 2009

S. O. 3283.—Whereas, it appears to the Central Government that it is necessary in the public interest that for the transporation of petroleum products from Paradip (Orissa) to Raipur (Chhattisgarh) & Ranchi (Jharkhand), "Paradip - New Sambalpur - Raipur - Ranchi Pipeline" should be laid by Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty-one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Sri Sukanta Kumar Pradhan, Competent Authority, Indian Oil Corporation Limited, Paradip -New Sambalpur - Raipur - Ranchi Pipeline Project, 1295, Forest Park, Bhubaneswar-751009, (Orissa).

SCHEDULE

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
ORAPARA	1043	00	16	81	
	414	00	00	10	
	415	00	00	87	
	416	00	01	37	
	432	00	00	97	
	481	00	00	51	
	480	00	00	26	
	482	00	03	20	
	506	00	00	10	
	505	00	00	15	
	504	00	00	35	
	483	00	03	89	
	479	00	00	10	
	502	00	00	10	
	500	00	00	39	
	494	00	00	66	
	495	00	00	10	
	493	00	01	20	
	484	00	00	75	
	485	00	00	55	
	489	00	00	34	
	490	00	01	23	
	491	00	01	03	
	492	00	00	10	
	488	00	02	27	
	463	00	00	20	
	462	00	00	10	
	292	00	06	10	
	540	00	00	10	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	541	00	00	65	
	291	00	02	66	
	542	00	01	38	
	543	00	00	86	
	289	00	01	06	
	290	00	02	15	
	299	00	00	37	
	287	00	07	41	
	270	00	00	27	
	269	00	01	00	
	264	00	01	64	
	265	00	00	80	
	261	00	02	27	
	263	00	00	70	
	262	00	01	21	
	260	00	00	16	
	259	00	01	41	
	255	00	00	10	
	256	00	01	21	
	257	00	00	35	
	251	00	00	10	
	250	00	01	59	
	249	00	00	90	
	235	00	00	65	
	233	00	00	66	
	248	00	00	97	
	236	00	00	81	
	237	00	00	13	
	239	00	01	46	
	232	00	00	78	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq. mtr.	
1	2	3	4	5	
	211	00	00	70	
	231	00	02	86	
	226	00	01	53	
	213	00	00	73	
	225	00	00	62	
	1064	00	02	15	
	214	00	01	41	
	1065	00	01	21	
	216	00	00	47	
	215	00	00	93	
	220	00	01	24	
	221	00	01	32	
	222	00	01	30	
	223	00	00	10	
SITHALO	6468	00	05	39	
	6469	00	03	39	
	6434	00	01	11	
	6436	00	04	06	
	6435	00	05	69	
	6433	00	03	48	
	6432	00	01	85	
	6431	00	00	54	
	6430	00	05	25	
	6722	00	00	10	
	6391	00	00	10	
	6392	00	02	72	
	6393	00	02	34	
	6394	00	02	94	
	6395	00	03	09	
	6347	00	00	31	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	6346	00	08	05	
	6398	00	00	50	
	6344	00	03	41	
	6021	00	04	71	
	6020	00	00	20	
	6022	00	01	07	
	6014	00	12	92	
	6063	00	07	80	
	6064	00	07	57	
	5997	00	12	56	
	5995	00	00	10	
	5996	00	00	31	
	5929	00	03	29	
	5932	00	00	48	
	5930	00	00	90	
	5931	00	00	90	
	5863	00	00	46	
	5864	00	00	90	
	5862	00	03	97	
	5861	00	04	86	
	5828	00	01	06	
	5827	00	01	26	
	5825	00	09	34	
	5826	00	05	59	
	4733	00	03	15	
	4736	00	01	41	
	4732	00	00	59	
	4737	00	03	64	
	4707	00	02	36	
	4706	00	03	24	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	4705	00	01	22	
	4570	00	01	28	
	4569	00	00	83	
	4571	00	06	17	
	4524	00	03	40	
	4525	00	01	36	
	4523	00	03	32	
	4521	00	02	30	
	4522	00	03	13	
	4514	00	01	94	
	4515	00	01	40	
	4517	00	00	75	
	4518	00	00	68	
	4516	00	02	78	
	4414	00	00	30	
	4413	00	00	23	
	4412	00	00	35	
	4411	00	07	39	
	4365	00	01	58	
	4361	00	02	13	
	4362	00	01	60	
	4363	00	01	10	
	4364	00	02	10	
	4366	00	03	36	
	4369	00	00	10	
	4370	00	01	18	
	4181	00	16	99	
	4371	00	00	86	
	4374	00	01	89	
	4375	00	00	10	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	4180	00	01	61	
	4179	00	01	65	
	4178	00	01	60	
	4177	00	06	15	
	4176	00	00	45	
	4376	00	00	10	
	4172	00	00	30	
	4147	00	01	10	
	4146	00	00	10	
	4149	00	01	06	
	4148	00	00	93	
	4150	00	01	77	
	4151	00	01	54	
	4152	00	01	69	
	4038	00	01	07	
	4039	00	02	83	
	4041	00	02	64	
	4040	00	00	78	
	6493	00	00	71	
	4032	00	01	68	
	4044	00	07	28	
	4018	00	20	59	
	3755	00	02	49	
	3758	00	01	32	
	3757	00	01	28	
	3756	00	01	14	
	3745	00	03	64	
	3747	00	00	79	
	3748	00	02	21	
	3746	00	01	71	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	3749	00	02	37	
	3738	00	09	61	
	3723	00	02	84	
	3728	00	00	10	
	3729	00	00	27	
	3727	00	05	63	
	3724	00	01	73	
	3725	00	01	50	
	3726	00	02	03	
	3730	00	00	75	
	3734	00	06	07	
AMARPARA	1502	00	00	61	
	1503	00	00	57	
	1632	00	01	86	
	1631	00	00	56	
	1504	00	05	94	
	1629	00	01	38	
	1630	00	00	48	
	1627	00	00	10	
	1628	00	02	79	
	1623	00	02	61	
	1620	00	00	17	
	1622	00	00	93	
	1621	00	01	62	
	1614	00	00	40	
	1612	00	03	24	
	1611	00	00	59	
	1610	00	00	39	
	1613	00	00	83	
	1602	00	01	84	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	1606	00	00	83	
	1603	00	02	14	
	1604	00	03	36	
	1601	00	00	16	
	1600	00	01	26	
	1605	00	00	62	
	1597	00	01	62	
	1598	00	00	40	
	1527	00	00	20	
	1596	00	06	27	
	1594	00	01	66	
	1595	00	00	60	
	1538	00	00	20	
	1539	00	02	52	
	1592	00	00	19	
	1540	00	01	29	
	1558	00	00	52	
	1534	00	00	30	
	1542	00	00	10	
	1541	00	01	75	
	1556	00	02	42	
	1555	00	05	71	
	1423	00	01	08	
	1730	00	01	04	
	1420	00	53	91	
	1896	00	03	64	
	1324	00	01	64	
	1323	00	01	92	
	1322	00	01	82	
	1919	00	00	75	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	517	00	00	10	
	518	00	00	11	
	519	00	03	62	
	520	00	05	94	
	521	00	01	49	
	523	00	00	10	
	522	00	00	60	
	528	00	00	53	
	529	00	00	49	
	530	00	01	12	
	531	00	01	21	
	549	00	00	39	
	548	00	00	27	
	547	00	00	15	
	532	00	03	64	
	533	00	01	76	
	534	00	04	09	
	535	00	01	70	
	536	00	00	78	
	538	00	02	77	
	539	00	15	14	
	620	00	00	10	
	622	00	01	02	
	637	00	01	96	
	636	00	02	83	
	635	00	00	77	
	634	00	01	07	
	639	00	00	73	
	641	00	00	81	
	1888	00	00	30	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	640	00	00	28	
	642	00	00	81	
	650	00	06	92	
	643	00	01	49	
	644	00	01	43	
	646	00	03	33	
	645	00	00	10	
	647	00	02	43	
	649	00	02	08	
	648	00	02	00	
	661	00	00	79	
	782	00	01	59	
	815	00	03	33	
	816	00	05	58	
	817	00	00	29	
DIGHI	2959	00	00	82	
	2960	00	07	77	
	2955	00	00	30	
	2963	00	01	35	
	2938	00	00	54	
	2925	00	00	23	
	2924	00	01	28	
	2923	00	02	31	
	2921	00	01	92	
	2922	00	00	81	
	2920	00	00	20	
	2919	00	03	18	
	1307	00	00	42	
	1308	00	02	59	
	1310	00	00	44	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	1309	00	02	50	
	1300	00	00	15	
	1314	00	03	28	
	1316	00	00	81	
	1315	00	01	86	
	859	00	03	12	
	1294	00	00	10	
	871	00	01	77	
	860	00	00	76	
	870	00	02	40	
	872	00	03	42	
	869	00	00	82	
	868	00	00	10	
	874	00	00	85	
	3041	00	02	11	
	873	00	01	62	
	876	00	01	82	
	878	00	00	40	
	3161	00	01	98	
	879	00	00	44	
	880	00	00	95	
	906	00	02	18	
	908	00	00	30	
	907	00	00	79	
	904	00	00	43	
	914	00	02	00	
	915	00	01	02	
	916	00	02	28	
	917	00	00	10	
	913	00	01	04	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	918	00	00	39	
	923	00	00	28	
	922	00	01	62	
	921	00	01	02	
	925	00	00	14	
	3043	00	02	98	
	926	00	00	94	
	920	00	02	35	
	3008	00	00	12	
	978	00	04	03	
	977	00	00	36	
	979	00	01	21	
	981	00	02	20	
	980	00	00	10	
	982	00	00	61	
	1141	00	05	24	
	986	00	03	42	
	1119	00	03	84	
	3035	00	00	54	
	987	00	01	17	
	988	00	02	03	
	989	00	01	94	
	990	00	01	50	
	991	00	01	74	
	992	00	00	60	
	1073	00	13	13	
	1108	00	00	34	
	1109	00	00	10	
	1107	00	00	47	
	1106	00	00	59	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	1105	00	00	88	
	1104	00	03	64	
	1103	00	02	04	
	1102	00	07	10	
	1074	00	05	38	
	1083	00	00	15	
	1084	00	01	64	
	1086	00	00	89	
	1085	00	00	39	
	1087	00	09	01	
	1088	00	00	77	
	1089	00	00	22	
BARISAN	4282	00	02	74	
	4281	00	01	88	
	4280	00	00	83	
	5440	00	06	14	
	4279	00	00	20	
	5304	00	00	82	
	3885	00	00	71	
	3886	00	01	30	
	3884	00	00	10	
	3898	00	11	52	
	3900	00	00	10	
	3899	00	00	10	
	3901	00	02	06	
	3902	00	01	10	
	3903	00	01	63	
	3904	00	01	86	
	3905	00	02	44	
	3906	00	03	52	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	3914	00	00	10	
	3913	00	00	22	
	3907	00	01	07	
	3911	00	01	69	
	3908	00	00	81	
	5294	00	00	10	
	3912	00	00	61	
	3873	00	02	43	
	3872	00	01	16	
	3871	00	00	27	
	3962	00	04	18	
	3961	00	01	99	
	3960	00	01	10	
	3959	00	00	33	
	3887	00	01	78	
	3974	00	01	90	
	3833	00	02	23	
	3975	00	01	24	
	3976	00	01	64	
	3977	00	00	69	
	3978	00	02	35	
	3979	00	00	74	
	3995	00	00	23	
	3994	00	02	58	
	3993	00	00	45	
	3996	00	02	28	
	3828	00	00	36	
	3827	00	00	43	
	3826	00	00	10	
	3997	00	01	36	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	3998	00	02	85	
	3999	00	03	96	
	4011	00	00	10	
	4000	00	03	54	
	4010	00	00	62	
	4009	00	03	41	
	4003	00	00	45	
	4004	00	00	10	
	4007	00	02	10	
	4008	00	02	24	
	4015	00	00	60	
	3811	00	00	29	
	3810	00	00	71	
	4045	00	01	84	
	4049	00	01	91	
	3809	00	04	06	
	4054	00	01	51	
	4055	00	01	52	
	4056	00	00	24	
	4053	00	03	27	
	4052	00	00	47	
	2966	00	05	68	
	2967	00	01	25	
	2976	00	00	10	
	2975	00	00	20	
	2965	00	00	48	
	2968	00	01	78	
	2969	00	01	68	
	2972	00	00	52	
	2971	00	00	62	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	2970	00	00	85	
	2960	00	01	94	
	2959	00	02	39	
	2759	00	00	10	
	2761	00	00	72	
	2760	00	01	36	
	2762	00	02	54	
	2764	00	00	42	
	2763	00	01	21	
	2768	00	00	15	
	2766	00	01	88	
	2767	00	01	02	
	2765	00	01	01	
	2770	00	00	25	
	2740	00	07	69	
	2739	00	00	10	
	2738	00	00	51	
	2737	00	00	73	
	2736	00	01	16	
	2684	00	00	15	
	2685	00	05	78	
	2686	00	03	66	
	2687	00	02	19	
	2688	00	00	56	
	2654	00	25	93	
	2628	00	00	10	
	2627	00	02	10	
	2625	00	06	00	
	2624	00	03	44	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	2425	00	10	70	
	2626	00	00	10	
	2623	00	00	10	
	2426	00	00	30	
	2424	00	03	42	
	2423	00	05	85	
	2419	00	00	15	
	2422	00	05	25	
	2421	00	06	45	
	2460	00	00	25	
	2461	00	01	44	
	2496	00	00	60	
	2497	00	02	29	
	2462	00	01	26	
BARAGURIKUD	547	00	04	14	
	529	00	02	16	
	535	00	00	45	
	534	00	00	80	
	849	00	00	75	
	853	00	01	95	
	852	00	02	05	
	858	00	10	16	
	866	00	00	30	
	865	00	00	10	
	867	00	04	12	
	868	00	05	76	
	870	00	00	56	
	388	00	00	72	
	387	00	00	54	
	386	00	00	72	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	383	00	00	25	
	345	00	12	65	
	344	00	00	99	
	347	00	01	60	
	342	00	00	10	
	341	00	03	20	
	348	00	04	68	
	349	00	00	20	
	340	00	02	70	
	350	00	09	50	
	329	00	01	36	
	323	00	01	59	
	324	00	01	87	
	320	00	06	02	
	321	00	00	20	
	318	00	13	55	
	248	00	06	71	
	247	00	03	18	
	252	00	04	24	
	246	00	03	53	
	244	00	00	90	
	242	00	00	79	
	243	00	18	00	
	140	00	00	52	
	100	00	05	15	
	101	00	07	29	
	102	00		96	
	122	00	30	10	
	104	00	06	84	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot No.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	106	00	00	76	
	118	00	00	30	
	117	00	07	99	
	116	00	07	71	
	129	00	00	20	
	112	00	01	01	
	113	00	05	79	
	114	00	07	19	
	130	00	03	82	
	131	00	02	12	
BARHIASAH	3481	00	00	92	
	3657	00	02	61	
	3658	00	04	97	
	3659	00	01	46	
	3662	00	00	34	
	3663	00	00	15	
	3660	00	00	36	
	3661	00	00	81	
	3664	00	00	82	
	3629	00	04	26	
	3669	00	01	45	
	3962	00	00	10	
	3665	00	02	14	
	3668	00	02	47	
	3667	00	00	50	
	3666	00	00	85	
	3652	00	03	30	
	3673	00	01	26	
	3687	00	01	21	
KASARADA	2673	00	19	33	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	2664	00	05	19	
	2672	00	02	89	
	2663	00	04	06	
	2665	00	05	25	
	2671	00	01	51	
	2670	00	04	05	
	2662	00	00	29	
	2666	00	00	40	
	2669	00	00	20	
	2668	00	00	23	
	2667	00	00	40	
	2661	00	00	81	
	2677	00	01	00	
	2678	00	00	93	
	3810	00	00	88	
	2679	00	01	06	
	3593	00	01	12	
	3806	00	00	10	
	3807	00	00	18	
	3808	00	00	10	
	3809	00	00	20	
	2704	00	01	81	
	2703	00	07	29	
	2702	00	05	75	
	2758	00	10	66	
	2759	00	02	46	
	2760	00	02	37	
	2761	00	04	29	
	2762	00	00	39	
	2767	00	05	59	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	2768	00	12	66	
	2789	00	00	20	
	2787	00	06	47	
	2770	00	01	53	
	2771	00	01	24	
	2774	00	02	12	
	2786	00	05	76	
	2785	00	00	22	
	3576	00	04	23	
	2790	00	03	87	
	2791	00	04	08	
	2792	00	01	82	
	3728	00	04	96	
	3644	00	03	04	
	3203	00	01	98	
	3202	00	01	91	
	3201	00	04	61	
	3200	00	01	92	
	3199	00	03	33	
	3197	00	03	91	
	3192	00	03	70	
	3193	00	00	18	
	3188	00	03	64	
	3189	00	06	77	
	3168	00	10	58	
	3169	00	10	52	
	3172	00	02	70	
	3171	00	02	94	
	3170	00	04	36	
	3138	00	08	43	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	3137	00	03	68	
	3136	00	01	14	
	3135	00	00	88	
	3078	00	03	33	
	3691	00	03	11	
	3079	00	00	10	
	3080	00	07	11	
	3111	00	01	47	
	3112	00	01	79	
	3110	00	00	12	
	3113	00	01	66	
	3114	00	01	26	
	3115	00	02	32	
	3116	00	00	10	
	3085	00	08	45	
	3026	00	00	45	
	3025	00	02	57	
	3028	00	01	55	
	3029	00	01	31	
	3032	00	01	30	
	3033	00	02	00	
	3036	00	01	33	
	3019	00	00	10	
	3037	00	04	56	
	3039	00	02	26	
	3619	00	00	14	
	3018	00	07	75	
	3017	00	05	28	
	3015	00	02	08	
	2499	00	01	11	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	2500	00	04	61	
	1912	00	03	70	
	3625	00	06	35	
	1911	00	04	77	
	1913	00	00	24	
	1925	00	00	35	
	1920	00	04	09	
	1919	00	10	44	
	1921	00	02	12	
	1922	00	00	20	
	1923	00	00	10	
	2434	00	00	76	
	2435	00	03	20	
	2432	00	02	67	
	2430	00	02	92	
	2431	00	04	45	
	2420	00	00	59	
	2421	00	06	95	
	2422	00	04	77	
	2423	00	02	39	
	2424	00	00	80	
	2339	00	05	75	
KHAJRA	1527	00	06	06	
	1475	00	03	00	
	1476	00	11	29	
	1443	00	10	84	
	1477	00	02	38	
	1442	00	09	44	
	1445	00	00	84	
	1446	00	00	58	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	1447	00	00	23	
	1266	00	05	26	
	1265	00	02	42	
	1264	00	01	20	
	1263	00	04	23	
	1262	00	03	54	
	1261	00	03	57	
	1259	00	02	61	
	1258	00	00	81	
	1257	00	01	56	
	1256	00	00	91	
	1255	00	00	89	
	1251	00	01	97	
	1250	00	01	19	
	1246	00	02	73	
	1244	00	01	26	
	1243	00	01	48	
	1242	00	02	45	
	1241	00	03	28	
	2402	00	01	42	
	1240	00	02	06	
	1239	00	01	59	
	1238	00	01	53	
	1237	00	01	77	
	1236	00	02	05	
	1235	00	02	87	
	1217	00	00	15	
	1222	00	04	76	
	1232	00	00	25	
	1231	00	02	39	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	1230	00	01	03	
	1229	00	00	88	
	1228	00	01	07	
	1227	00	00	95	
	1225	00	05	00	
	1223	00	01	88	
	28	00	01	41	
	26	00	01	83	
	25	00	01	24	
	24	00	01	17	
	23	00	01	78	
	22	00	04	29	
	19	00	04	62	
	18	00	07	34	
	2387	00	02	70	
	17	00	00	10	
	15	00	02	73	
	16	00	00	36	
	14	00	02	82	
	13	00	02	23	
	12	00	02	58	
	11	00	03	58	
	10	00	02	92	
	9	00	02	78	
	8	00	02	39	
	7	00	00	80	
	6	00	00	37	
	5	00	00	10	
	29	00	06	60	
	47	00	00	10	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	46	00	00	36	
	44	00	02	82	
	43	00	02	33	
	42	00	01	33	
	40	00	01	88	
	39	00	01	82	
	38	00	02	02	
	35	00	02	09	
	33	00	02	24	
	32	00	02	31	
	31	00	02	84	
	30	00	00	10	
KUSUNPUR	210	00	06	12	
	208	00	02	75	
	209	00	00	83	
	201	00	00	10	
	207	00	08	87	
	212	00	00	20	
	198	00	00	20	
	205	00	04	52	
	197	00	06	09	
	196	00	11	07	
	192	00	00	62	
	195	00	06	72	
	213	00	00	30	
	236	00	10	27	
	247	00	04	15	
	246	00	02	14	
	245	00	04	31	
	248	00	05	64	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	252	00	05	11	
	253	00	00	10	
	254	00	01	08	
	257	00	06	16	
	256	00	03	86	
	255	00	03	41	
	275	00	05	23	
	276	00	08	40	
	288	00	04	13	
	291	00	06	42	
	290	00	06	69	
GOPALNAGAR	1226	00	02	85	
	1231	00	02	94	
	1229	00	03	16	
	1232	00	02	37	
	1221	00	00	42	
	1198	00	01	91	
	1199	00	03	22	
	1214	00	00	16	
	1213	00	05	72	
	1201	00	02	02	
	1200	00	00	45	
	1202	00	00	54	
	1203	00	00	10	
	1212	00	04	85	
	1211	00	02	26	
	1210	00	05	68	
	1147	00	05	54	
	1208	00	05	44	
	1154	00	05	86	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	1155	00	04	51	
	1161	00	07	20	
	1162	00	05	73	
	1163	00	03	36	
	1140	00	00	46	
	1131	00	10	99	
	1132	00	02	19	
	1128	00	01	54	
	1136	00	03	02	
	1088	00	07	58	
	1086	00	00	17	
	1087	00	00	83	
	1089	00	02	03	
	1091	00	06	73	
	1092	00	06	91	
	1090	00	00	14	
	1094	00	04	64	
	1095	00	04	05	
	1096	00	01	73	
	1097	00	00	80	
	1034	00	10	01	
	1035	00	00	67	
	1099	00	00	50	
	1026	00	05	36	
	1025	00	10	83	
	1027	00	02	26	
	1024	00	00	10	
	204	00	02	85	
	43	00	05	28	
	42	00	00	10	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	44	00	01	34	
	45	00	02	08	
	53	00	01	61	
	52	00	01	73	
	51	00	05	04	
	56	00	04	21	
	57	00	00	59	
	66	00	03	50	
	58	00	03	51	
	68	00	01	62	
	65	00	00	54	
	59	00	01	74	
	60	00	02	28	
	61	00	05	37	
	64	00	00	23	
	62	00	04	11	
	63	00	05	27	
	111	00	02	96	
	112	00	04	11	
	113	00	01	85	
	109	00	02	30	
	108	00	04	34	
	125	00	00	39	
	127	00	10	29	
	107	00	01	64	
	128	00	07	39	
	129	00	05	05	
	130	00	00	45	
NODA	217	00	03	27	
	216	00	04	68	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	215	00	03	99	
	214	00	01	78	
	213	00	03	59	
	173	00	08	35	
	174	00	00	42	
	1676	00	01	32	
	1675	00	01	31	
	1674	00	01	23	
	1673	00	02	62	
	179	00	02	75	
	180	00	02	00	
	1671	00	01	41	
	72	00	03	81	
	57	00	32	06	
	22	00	01	64	
	23	00	03	54	
	24	00	04	81	
	25	00	00	82	
ARASPUR	4025	00	00	41	
	4024	00	01	03	
	4029	00	05	37	
	4646	00	00	46	
	4647	00	00	36	
	4607	00	01	40	
	4606	00	01	91	
	4605	00	00	90	
	4601	00	04	01	
	4604	00	00		
	4602	00	02	19	
	4603	00	00		

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	4536	00	02	58	
	4537	00	06	40	
	4542	00	01	92	
	4543	00	00	10	
	4541	00	00	97	
	4540	00	00	10	
	4534	00	02	93	
	4535	00	06	02	
	4538	00	02	52	
	4533	00	00	35	
	4532	00	03	15	
	4531	00	00	10	
	2745	00	04	17	
	2746	00	00	10	
	2748	00	01	61	
	2749	00	02	60	
	2750	00	07	51	
	2751	00	06	93	
	2752	00	00	10	
	5105	00	06	48	
	4471	00	00	64	
	4470	00	02	92	
	4469	00	00	39	
	2756	00	01	60	
	4468	00	00	10	
	2757	00	02	96	
	2758	00	11	44	
	2780	00	00	16	
	2779	00	01	44	
	2778	00	03	35	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	2777	00	04	55	
	2791	00	05	99	
	2776	00	00	51	
	2790	00	01	89	
	2792	00	01	94	
	2789	00	01	35	
	2793	00	00	52	
	2795	00	01	28	
	2788	00	05	40	
	2796	00	02	56	
	2794	00	00	10	
	2797	00	00	31	
	2808	00	05	97	
	2807	00	00	24	
	2806	00	13	44	
	2559	00	05	61	
	2560	00	00	27	
	2558	00	00	10	
	2360	00	02	74	
	2359	00	02	79	
	2358	00	05	78	
	2356	00	00	83	
	2357	00	00	80	
	2364	00	06	07	
	2319	00	04	57	
	5101	00	03	79	
	2318	00	01	83	
	2329	00	00	22	
	2313	00	00	81	
	2312	00	00	78	

Tensil : N/ALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	2311	00	02	83	
	2310	00	00	36	
	2308	00	00	49	
	2307	00	00	10	
	2306	00	01	20	
	2304	00	06	66	
	2305	00	00	16	
	2303	00	02	03	
	2302	00	01	30	
	2282	00	07	71	
	2281	00	00	10	
	2277	00	00	10	
	2205	00	01	15	
	2202	00	08	91	
	2283	00	00	88	
	2285	00	00	33	
	2201	00	00	98	
	2200	00	01	86	
	2199	00	02	25	
	2203	00	00	50	
	2198	00	01	44	
	2197	00	01	27	
	2196	00	03	14	
	2109	00	01	41	
	2110	00	07	67	
	2130	00	07	28	
	2128	00	00	10	
	2129	00	01	23	
	2177	00	00	12	
	2131	00	02	59	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	2132	00	02	26	
	2127	00	01	12	
	2133	00	03	83	
	2140	00	08	72	
	2141	00	06	95	
	5003	00	00	75	
	2142	00	00	15	
	2146	00	01	50	
	2145	00	00	72	
	2144	00	03	24	
	2149	00	01	90	
	2143	00	00	72	
	663	00	00	84	
	662	00	12	30	
	660	00	05	15	
	661	00	02	75	
SALEIBEDPUR	555	00	07	72	
	557	00	11	38	
	567	00	00	20	
	549	00	02	28	
	548	00	02	84	
	568	00	00	11	
	569	00	03	30	
	571	00	01	29	
	577	00	01	84	
	579	00	09	44	
	576	00	00	10	
	581	00	04	82	
	580	00	00	97	
	532	00	25	11	

Tehsil : NIALI		District : CUTTACK		State : ORISSA	
Name of the Village	Plot NO.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
	182	00	01	71	
	181	00	01	44	
	180	00	01	12	
	179	00	01	35	
	175	00	01	70	
	174	00	02	04	
	173	00	01	53	
	13	00	18	46	
	22	00	00	29	
	15	00	02	81	
	16	00	00	27	
	14	00	06	20	
	44	00	01	34	
	11	00	04	28	
	12	00	15	09	
	10	00	56	80	
	9	00	08	37	
	8	00	05	28	
	7	00	02	09	

[F. No. R-25011/15/2009-O.R.-I]

B.K.DATTA, Under Secy.

नई दिल्ली, 4 दिसम्बर, 2009

का. आ. 3284.— पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) के नियम 2 (क) के अन्तर्गत, मैसर्स रिलायंस गैस ट्रान्सपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड (आर.जी.टी. आई.एल.) के द्वारा महाराष्ट्र राज्य में प्राकृतिक गैस पाइपलाइन विछाई जाने हेतु सक्षम प्राधिकारी के कार्यों का निर्वहन करने के लिए, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की, भारत के राजपत्र दिनांक 22 जनवरी, 2005 को प्रकाशित, अधिसूचना का०आ० 259 दिनांक 18 जनवरी, 2005 द्वारा पदस्थापित, में, एस.डी.मिसे, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियमावली, 1963 के नियम 4 के उप नियम (1) के नीचे दी गई व्याख्या (1) के अन्तर्गत अधिकारों के अनुपालन में, मैसर्स आ.जी.टी.आई.एल., जिसमें यथास्थित, उस क्षेत्र में भूमि में उपयोग का अधिकार निहित किया गया है और उस क्षेत्र में पाइपलाइन का स्वामित्व निहित है, के परामर्श से, संलग्न अनुसूची के स्तंभ 4 में महाराष्ट्र राज्य के पुणे, अहमदनगर और रायगड जिले में यथा उल्लेखित प्राकृतिक गैस पाइपलाइन विछाई जाने के प्रचालन की समाप्ति की तारीखों की घोषणा करता हूँ।

अनुसूची

तहसिल: खेड		जिला: पुणे		राज्य: महाराष्ट्र
क. स.	ग्राम का नाम	धारा 6(1) की का. आ. संख्या एवं दिनांक		प्रचालन की समाप्ति की तारीख
1	2	3		4
1	पिंपरीखुर्द	1606	दिनांक 27/04/2005	30/05/2009
		1333(अ)	दिनांक 22/05/2009	
2	गोणवडी	1606	दिनांक 27/04/2005	30/05/2009
		1333(अ)	दिनांक 22/05/2009	
3	आंबेठाण	1606	दिनांक 27/04/2005	30/05/2009
		1055	दिनांक 09/04/2007	
		1333(अ)	दिनांक 22/05/2009	
4	असग्रेड खुर्द	1606	दिनांक 27/04/2005	30/05/2009
		1333(अ)	दिनांक 22/05/2009	

तहसिल: मावळ		जिला: पुणे		राज्य: महाराष्ट्र
1	आंबळे	1606	दिनांक 27/04/2005	30/05/2009
		1333(अ)	दिनांक 22/05/2009	
2	निगडे	1606	दिनांक 27/04/2005	30/05/2009
		1333(अ)	दिनांक 22/05/2009	
3	पोवळेवाडी	1606	दिनांक 27/04/2005	30/05/2009
		1055	दिनांक 09/04/2007	
		1333(अ)	दिनांक 22/05/2009	
4	कल्हाट	1606	दिनांक 27/04/2005	30/05/2009
		1333(अ)	दिनांक 22/05/2009	
5	भोयरे	1606	दिनांक 27/04/2005	30/05/2009
6	किवळे	1606	दिनांक 27/04/2005	30/05/2009
		1333(अ)	दिनांक 22/05/2009	
7	मालेगाव खुर्द	1606	दिनांक 27/04/2005	30/05/2009
		1333(अ)	दिनांक 22/05/2009	
8	पिंपरीवाडी	1606	दिनांक 27/04/2005	30/05/2009
		1333(अ)	दिनांक 22/05/2009	
9	मालेगांव बुदुक	1606	दिनांक 27/04/2005	30/05/2009
		1055	दिनांक 09/04/2007	
		1333(अ)	दिनांक 22/05/2009	

तहसिल: शिरूर		जिला: पुणे		राज्य: महाराष्ट्र
1	आंधळगाव	2322	दिनांक 27/06/2005	30/05/2009
		1188(अ)	दिनांक 06/05/2009	
2	आलेगाव पागा	2322	दिनांक 27/06/2005	30/05/2009
		1188(अ)	दिनांक 06/05/2009	
3	पागेडी	2322	दिनांक 27/06/2005	30/05/2009
		1056	दिनांक 09/04/2007	
		1188(अ)	दिनांक 06/05/2009	
4	शिवतकार म्हाळुंगी	2322	दिनांक 27/06/2005	30/05/2009
		1056	दिनांक 09/04/2007	
		1188(अ)	दिनांक 06/05/2009	
5	पिंपळेजगताप	2322	दिनांक 27/06/2005	30/05/2009
		1188(अ)	दिनांक 06/05/2009	

1	2	3		4
तहसिल: श्रीगोंदा		जिला: अहमदनगर		राज्य: महाराष्ट्र
1 चोराचीवाडी	2236	दिनांक	21/06/2005	30/05/2009
	1186(अ)	दिनांक	05/05/2009	
2 वेळू	2236	दिनांक	21/06/2005	30/05/2009
	1186(अ)	दिनांक	05/05/2009	
तहसिल: कर्जत		जिला: रायगड		राज्य: महाराष्ट्र
1 खडयाचापाडा	2237	दिनांक	21/06/2005	30/05/2009
	1187(अ)	दिनांक	06/05/2009	

पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन)
अधिनियम, 1962 की धारा 17 के अंतर्गत संशोधित पेट्रोलियम और खनिज
पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के नियम
4 के अंतर्गत भारत सरकार के राजपत्र के प्रकाशनार्थ.

[फा. सं. एल-14014/43/2009 जी.पी.]

के.के.शर्मा, अवर सचिव

New Delhi, the 4th December, 2009

S. O. 3284.—In pursuance of powers conferred by Explanation 1 in sub-rule (1) of Rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963, I, **S. D. Bhise**, appointed by Government of India, Ministry of Petroleum and Natural Gas vide Notification S.O. 259 dated 18th January, 2005 (published in the Gazette of India on 22nd January, 2005) under Section 2(a) of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) to perform the functions of Competent Authority for laying natural gas pipelines by M/s Reliance Gas Transportation Infrastructure Limited (RGTIL) in the State of Maharashtra, in consultation with M/s RGTIL, to whom the Right of User in land in that area has been vested and in whom the ownership of pipeline in that area vests, hereby declare the dates, mentioned in Column 4 of the Schedule annexed herewith, as the dates of termination of RoU operation in Districts Pune, Ahmednagar and Raigad in the State of Maharashtra.

Schedule

Tahsil: Khed		District: Pune		State: Maharashtra
Sr. No.	Village	S.O. No. & Date of Notification Under sub-section (1) of Section 6		Date of Termination of Operation
1	2	3		4
1	Pimpri Khurd	1606	Date 27/04/2005	30/05/2009
		1333(E)	Date 22/05/2009	
2	Gaonwadi	1606	Date 27/04/2005	30/05/2009
		1333(E)	Date 22/05/2009	
3	Ambethan	1606	Date 27/04/2005	30/05/2009
		1055	Date 09/04/2007	
		1333(E)	Date 22/05/2009	
4	Ashked Khurd	1606	Date 27/04/2005	30/05/2009
		1333(E)	Date 22/05/2009	

Tahsil: Maval		District: Pune		State: Maharashtra
1	Ambale	1606	Date 27/04/2005	30/05/2009
		1333(E)	Date 22/05/2009	
2	Nigade	1606	Date 27/04/2005	30/05/2009
		1333(E)	Date 22/05/2009	
3	Powalewadi	1606	Date 27/04/2005	30/05/2009
		1055	Date 09/04/2007	
		1333(E)	Date 22/05/2009	
4	Kalhat	1606	Date 27/04/2005	30/05/2009
		1333(E)	Date 22/05/2009	
5	Bhoyare	1606	Date 27/04/2005	30/05/2009
6	Kivale	1606	Date 27/04/2005	30/05/2009
		1333(E)	Date 22/05/2009	
7	Malegaon Khurd	1606	Date 27/04/2005	30/05/2009
		1333(E)	Date 22/05/2009	
8	Pimpriwadi	1606	Date 27/04/2005	30/05/2009
		1333(E)	Date 22/05/2009	
9	Malegaon Budruk	1606	Date 27/04/2005	30/05/2009
		1055	Date 09/04/2007	
		1333(E)	Date 22/05/2009	

Tahsil: Shirur		District: Pune		State: Maharashtra
1	Andhalgaon	2322	Date 27/06/2005	30/05/2009
		1188(E)	Date 06/05/2009	
2	Aalegaon Paga	2322	Date 27/06/2005	30/05/2009
		1188(E)	Date 06/05/2009	

1	2	3	4
3	Parodi	2322 Date 27/06/2005 1056 Date 09/04/2007 1188(E) Date 06/05/2009	30/05/2009
4	Shivtakrar Mhalungi	2322 Date 27/06/2005 1056 Date 09/04/2007 1188(E) Date 06/05/2009	30/05/2009
5	Pimple Jagtap	2322 Date 27/06/2005 1188(E) Date 06/05/2009	30/05/2009

Tahsil: Shrigonda		District: Ahmednagar		State: Maharashtra
1	Chorachiwadi	2236 Date 21/06/2005 1186(E) Date 05/05/2009	30/05/2009	
2	Velu	2236 Date 21/06/2005 1186(E) Date 05/05/2009	30/05/2009	

Tahsil: Karjat		District: Raigad		State: Maharashtra
1	Khadich pada	2237 Date 21/06/2005 1187(E) Date 06/05/2009	30/05/2009	

To be published under Rule 4 of the P & MP (ARUL)
Rules 1963, framed under Section 17 of P & MP (ARUL)
Act, 1962 in official Gazette of India.

[F. No. L-14014/43/2009-G.P.]
K.K.SHARMA, Under Secy.

नई दिल्ली, 4 दिसम्बर, 2009

का. आ. 3285.— पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) के नियम 2 (क) के अन्तर्गत, मैसर्स रिलायंस गैस ट्रांसपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड (आर.जी.टी. आई.एल.) के द्वारा महाराष्ट्र राज्य में प्राकृतिक गैस पाइपलाइन बिछाई जाने हेतु सक्षम प्राधिकारी के कार्यों का निर्वहन करने के लिए, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की, भारत के राजपत्र दिनांक 22 जनवरी, 2005 को प्रकाशित, अधिसूचना का०आ० 259 दिनांक 18 जनवरी, 2005 द्वारा प्राधिकृत, में, डी.एस. धोत्रे, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियमावली, 1963 के नियम 4 के उप-नियम (1) के नीचे दी गई व्याख्या (1) के अन्तर्गत अधिकारों के अनुपालन में, मैसर्स आ.जी.टी.आई.एल., जिसमें यथास्थित, उस क्षेत्र में भूमि में उपयोग का अधिकार निहित किया गया है और उस क्षेत्र में पाइपलाइन का स्वामित्व निहित है, के परामर्श से, संलग्न अनुसूची के स्तंभ 4 में महाराष्ट्र राज्य के लातूर और उस्मानाबाद जिले में यथा उल्लेखित प्राकृतिक गैस पाइपलाइन बिछाए जाने के प्रचालन की समाप्ति की तारीखों की घोषणा करता हूँ।

अनुसूची

तहसिल: निलंगा		जिला: लातूर			राज्य: महाराष्ट्र
क्र. स.	ग्राम का नाम	धारा 6(1) की का. आ. संख्या एवं दिनांक			प्रचालन की समाप्ति की तारीख
1	2	3			4
1	हलाळी	1301	दिनांक	08/04/2005	15/12/2008
		2695	दिनांक	20/09/2007	
		2904(अ)	दिनांक	06/12/2008	
2	मिरगनहळी	1301	दिनांक	06/04/2005	15/12/2008
		2695	दिनांक	20/09/2007	
		2904(अ)	दिनांक	06/12/2008	
3	शिराढोण	1301	दिनांक	08/04/2005	15/12/2008
		2904(अ)	दिनांक	06/12/2008	
4	हसोरी (वु)	1301	दिनांक	08/04/2005	15/12/2008
		2695	दिनांक	20/09/2007	
		2904(अ)	दिनांक	06/12/2008	
5	कासार-सिरसी	1301	दिनांक	06/04/2005	15/12/2008
		2695	दिनांक	20/09/2007	
		2904(अ)	दिनांक	06/12/2008	
6	डोंगरगांव (हालीखेड)	1301	दिनांक	08/04/2005	15/12/2008
		2695	दिनांक	20/09/2007	
		2904(अ)	दिनांक	06/12/2008	

तहसिल: औसा		जिला: लातूर			राज्य: महाराष्ट्र
1	मंगरूळ	1301	दिनांक	08/04/2005	30/09/2007
		4828	दिनांक	11/12/2006	
		2695	दिनांक	20/09/2007	
2	गुबाळ	1301	दिनांक	08/04/2005	29/05/2008
		2695	दिनांक	20/09/2007	
3	नांदुर्गा	1301	दिनांक	08/04/2005	10/06/2007
4	सारणी	1301	दिनांक	08/04/2005	27/06/2007
		4828	दिनांक	11/12/2006	
5	हसलगन	1301	दिनांक	08/04/2005	17/06/2007
6	लोहाटा	1301	दिनांक	08/04/2005	30/09/2007
		2695	दिनांक	20/09/2007	
7	आशीव	1301	दिनांक	08/04/2005	30/09/2007
		4828	दिनांक	11/12/2006	
		2695	दिनांक	20/09/2007	

तहसिल: उमरगा		जिला: उस्मानाबाद			राज्य: महाराष्ट्र
1	चाकुर	1301	दिनांक	08/04/2005	30/04/2009
		4828	दिनांक	11/12/2006	

1	2	3	4
1	चाकुर (निरंतर)	2695 दिनांक 20/09/2007 2904(अ) दिनांक 06/12/2008 871 दिनांक 06/04/2009	30/04/2009
तहसिल: लोहारा		जिला: उस्मानाबाद	राज्य: महाराष्ट्र
1	सासुर	1301 दिनांक 08/04/2005 4828 दिनांक 11/12/2006 2695 दिनांक 20/09/2007 2904(अ) दिनांक 06/12/2008	15/12/2008
तहसिल: उस्मानाबाद		जिला: उस्मानाबाद	राज्य: महाराष्ट्र
1	भंडारी	1301 दिनांक 08/04/2005 2695 दिनांक 20/09/2007 2904(अ) दिनांक 06/12/2008	15/12/2008
2	वरमगाव (खुर्द)	1301 दिनांक 08/04/2005 2695 दिनांक 20/09/2007	30/09/2007
3	उत्तमी	1301 दिनांक 08/04/2005	20/05/2007
4	पळसवाडी	1301 दिनांक 08/04/2005 2695 दिनांक 20/09/2007 2904(अ) दिनांक 06/12/2008	15/12/2008
5	खानापूर	1301 दिनांक 08/04/2005 2695 दिनांक 20/09/2007 2904(अ) दिनांक 06/12/2008	15/12/2008
6	आंवेजवळगे	1301 दिनांक 08/04/2005 2695 दिनांक 20/09/2007 2904(अ) दिनांक 06/12/2008	15/12/2008

पट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन)
अधिनियम, १९६२ की धारा १७ के अंतर्गत संरचित पट्रोलियम और खनिज
पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, १९६३ के नियम
४ के अंतर्गत भारत सरकार के राजपत्र के प्रकाशनार्थ

[फा. सं. एल 14014/46/2009-जी.पी.]

के.के.शर्मा, अवर सचिव

New Delhi, the 4th December, 2009

S. O. 3285.—In pursuance of powers conferred by Explanation 1 in sub-rule (1) of Rule 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963, I, D.S. Dhotre, authorised by Government of India, Ministry of Petroleum and Natural Gas vide Notification S.O. 259 dated 18th January, 2005 (published in the Gazette of India on 22nd January, 2005) under Section 2(a) of the

Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) to perform the functions of Competent Authority for laying natural gas pipelines by M/s Reliance Gas Transportation Infrastructure Limited (RGTEL) in the State of Maharashtra, in consultation with M/s RGTEL, to whom the Right of User in land in that area has been vested and in whom the ownership of pipeline in that area vests, hereby declare the dates, mentioned in Column 4 of the Schedule annexed herewith, as the dates of termination of RoU operation in Districts Latur and Osmanabad in the State of Maharashtra.

Schedule

Tahsil: Nilanga		District: Latur			State: Maharashtra
Sr. No.	Village	S.O. No. & Date of Notification Under sub-section (1) of Section 6			Date of Termination of Operation
1	2	3			4
1	Halali	1301	Date	08/04/2005	15/12/2008
		2695	Date	20/09/2007	
		2904(E)	Date	06/12/2008	
2	Mirganhalli	1301	Date	08/04/2005	15/12/2008
		2695	Date	20/09/2007	
		2904(E)	Date	06/12/2008	
3	Shiradhon	1301	Date	08/04/2005	15/12/2008
		2904(E)	Date	06/12/2008	
4	Hasori(Bk)	1301	Date	08/04/2005	15/12/2008
		2695	Date	20/09/2007	
		2904(E)	Date	06/12/2008	
5	Kasar-Sirsi	1301	Date	08/04/2005	15/12/2008
		2695	Date	20/09/2007	
		2904(E)	Date	06/12/2008	
6	Dongargaon(Halikhed)	1301	Date	08/04/2005	15/12/2008
		2695	Date	20/09/2007	
		2904(E)	Date	06/12/2008	

Tahsil: Ausa		District: Latur			State: Maharashtra
1	Mangrul	1301	Date	08/04/2005	30/09/2007
		4828	Date	11/12/2006	
		2695	Date	20/09/2007	
2	Gubal	1301	Date	08/04/2005	29/05/2008
		2695	Date	20/09/2007	
3	Nandurga	1301	Date	08/04/2005	10/06/2007

1	2	3	4
4	Sami	1301 Date 08/04/2005 4828 Date 11/12/2006	27/06/2007
5	Hasalgan	1301 Date 08/04/2005	17/06/2007
6	Lohata	1301 Date 08/04/2005 2695 Date 20/09/2007	30/09/2007
7	Ashiv	1301 Date 08/04/2005 4828 Date 11/12/2006 2695 Date 20/09/2007	30/09/2007

Tahsil: Umarga		District: Osmanabad		State: Maharashtra
1	Chakur	1301 Date 08/04/2005 4828 Date 11/12/2006		30/04/2009
1	Chakur (Cont'd)	2695 Date 20/09/2007 2904(E) Date 06/12/2008 871 Date 06/04/2009		30/04/2009

Tahsil: Lohara		District: Osmanabad		State: Maharashtra
1	Sastur	1301 Date 08/04/2005 4828 Date 11/12/2006 2695 Date 20/09/2007 2904(E) Date 06/12/2008		15/12/2008

Tahsil: Osmanabad		District: Osmanabad		State: Maharashtra
1	Bhandari	1301 Date 08/04/2005 2695 Date 20/09/2007 2904(E) Date 06/12/2008		15/12/2008
2	Baramgaon(Kh)	1301 Date 08/04/2005 2695 Date 20/09/2007		30/09/2007
3	Uttami	1301 Date 08/04/2005		20/05/2007
4	Palaswadi	1301 Date 08/04/2005 2695 Date 20/09/2007 2904(E) Date 06/12/2008		15/12/2008
5	Khanapur	1301 Date 08/04/2005 2695 Date 20/09/2007 2904(E) Date 06/12/2008		15/12/2008
6	Ambejawalge	1301 Date 08/04/2005 2695 Date 20/09/2007 2904(E) Date 06/12/2008		15/12/2008

To be published under Rule 4 of the P& MP (ARUL)
Rules 1963, framed under Section 17 of P& MP (ARUL)
Act, 1962 in official Gazette of India.

[F. No. L-14014/46/2009-G.P.]
K.K.SHARMA, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 5 नवम्बर, 2009

का. आ. 3286.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 59/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-11-2009 को प्राप्त हुआ था।

[सं. एल-12012/152/98-आई आर.(बी-1)]

अजय कुमार, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 5th November, 2009

S. O. 3286.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.59/99) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the management of State Bank of India and their workmen, received by the Central Government on 5-11-2009.

[No. L-12012/152/98-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

No. CGIT/LC/R/59/99

Presiding Officer: Shri Mohd. Shakir Hasan

The Regional Secretary,
State Bank of India Workmen Union,
Regional Office, Region IV,
Dharampura, Jagdalpur,
Distt. Bastar (U. P.)

....Workman/Union

Versus

The Asstt. General Manager,
State Bank of India,
Regional Office, Region IV,
Dharampura, Jagdalpur,

....Management

AWARD

Passed on this 23rd day of October, 2009

1. The Government of India, Ministry of Labour vide its Notification No.L-12012/152/98/IR (B-1) dated 13-1-1999 has referred the following dispute for adjudication by this Tribunal:

“Whether the order of the management of State Bank of India, Region IV, Dharampur, Jagdalpur in removing the workman Shri Kuldeep Minj from service is legal and justified? If not, to what relief he is entitled?”

2. The workman/Union appeared in the case on 10-11-99 but in spite of sufficient time granted to him, he did not file statement of claim in the case. Lastly he left the

case and the then Tribunal proceeded the reference exparte against him on 26-11-06.

3. The management filed Written Statement in the case. The case of the management is that the workman Shri Kuldeep Minj was working as clerk-cum-cashier in the State Bank of India at Bhanpuri Branch. While he was working there, he misconducted and mis-appropriated the amount deposited by the account holders. He is said to have fraudulently made entries in the pass books of the account holders and also did posting in the ledger. The chargesheet was served on him by the Disciplinary authority and Shri C.R.Baboo, Chief Manager was appointed as Enquiry Officer. Shri R.K.Bisen, Dy. Manager was appointed as Presenting Officer. The departmental enquiry was held on different dates. The workman appeared and defended himself and full opportunity was given to him. Later on 7-12-95 the workman/delinquent boycotted the proceedings and left the place of enquiry. Again the workman and the defence counsel appeared and participated in the proceedings. The Enquiry Officer conducted the enquiry after following the principle of natural justice. The Enquiry Officer found the charges proved and submitted enquiry report. The Disciplinary Officer gave second show cause notice proposing the punishment of removal from service. The workman was given personal hearing on 16-6-97. Considering the entire materials, the disciplinary authority imposed the punishment of removal from service. The workman preferred appeal against the order of removal from service. The Appellate authority also gave an opportunity to the workman of personal hearing. The appellate Authority also found the gravity of misconduct proved against the workman and rejected the appeal. Under the circumstances, it is submitted that the workman/Union is not entitled to any relief.

4. Now the only question is as to whether the order of the management in removing the workman Shri Kuldeep Minj from service is legal and justified?

5. The management has adduced oral and documentary evidence in the case. The management witness K.Lakshmana Rao is Asstt. General Manager in the State Bank of India. He has stated that the workman Shri Kuldeep Minj was clerk-cum-cashier in the State Bank of India (in short SBI) at Bhanpuri Branch and he had misappropriated the amount deposited by the customers and had not deposited the same in the account of the Bank. He has stated that the charge sheet was served on him which is marked as Exhibit M/1 but the workman denied the charges. The Enquiry Officer and Presenting Officer were appointed. The workman engaged Shri Abhilash Dave as his defence counsel. This witness has supported the case that the enquiry was conducted and full opportunity was given to the workman to defend himself. The enquiry proceedings including documents and evidence of the witnesses are marked as Exhibit M/5. The Enquiry Officer after enquiry found that the charges were proved against the workman and submitted his enquiry report which is marked as Exhibit M/6.

6. He has further stated that the Disciplinary Authority after giving opportunity to the workman of personal hearing found that the charges were proved and the same were of serious nature. As such, the Disciplinary Authority passed an order of removal from the service. The said order is marked as Exhibit M/10. The workman preferred appeal. The memo of appeal is marked as Exhibit M/11. The appellate Authority after personal hearing rejected the appeal. The order is marked as Exhibit M/11. There is nothing on the record to rebut the evidence of the management. I do not find any illegality in the departmental proceedings and any interference in order appears to be not required. Accordingly the reference is answered in favour of the management.

7. In the result, the award is passed exparte without any orders of costs.

8. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer
नई दिल्ली, 5 नवम्बर, 2009

का. आ. 3287.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रेलवे बोर्ड प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-1, दिल्ली के पंचाट (संदर्भ संख्या 36/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-11-2009 को प्राप्त हुआ था।

[सं. एल-41011/7/2005-आई आर. (बी-1)]
अजय कुमार, डेस्क अधिकारी

New Delhi, the 5th November, 2009

S. O. 3287.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 36/2007) of the Central Government Industrial Tribunal /Labour Court-1, Delhi as shown in the Annexure in the Industrial Dispute between the management of Railway Board and their workmen, received by the Central Government on 5-11-2009.

[No. L-41011/7/2005-IR(B-1)]
AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE DR. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT NO. 1, NEW DELHI,
KARĀDOOMA COURT COMPLEX, DELHI

I. D. No. 36/2007

Sh. U. R. Kansavi,
Through The Secretary General,
All India Station Masters Association,
28/23, Kishan Ganj, Railway Colony,
Delhi-11007.

....Workman

Versus

The Chairman,
Railway Board,
Rail Bhawan,
New Delhi.

....Management

AWARD

The appropriate Government vide its Order No. L-41011/7/2005/IR (B-1) dated 7-3-2007 has referred the following industrial dispute to this Tribunal for adjudication:

“Whether the action of the management of Railway Board in imposing the penalty of reduction from the scale of Rs. 2000-3200 (RSRP) to Rs. 1600-2660 and fixing pay of Shri U. R. Kansavi at Rs. 1600 is legal and justified? If not, to what relief the workmen is entitled to?” and ‘Whether the action of the management of Railway Board in imposing 10% cut in pension for a period of one year on Shri D. P. Trevedi, Retd. Dy. Station Supdt./Hapa is legal and justified? If not, to what relief the workmen is entitled to?’

2. The appropriate Government gave a direction that the parties raising the dispute shall file a statement of claim complete with relevant documents, list of reliance and witness with the Tribunal within fifteen days of the receipt of the order of reference and also forward a copy of such a statement to each one of the opposite parties involved in this dispute under rule 10(B) of the industrial disputes (Central), Rules, 1957. Despite that direction, the workman failed to file his claim statement.

3. On receipt of reference by this Tribunal, notices were issued to the parties, calling upon them to file claim statement and document on 12-6-2007. On 12-6-2007 non appeared for the workman and Shri Neeraj Kumar appeared for the management and case was adjourned to 22-8-09 for filling of claim. From 22-8-09 about 17 adjournment were granted to the workman for filling claim but none appeared for the workman. Neeraj Kumar A/R for the management was called upon to submit the stand of the management. He submitted that the workman was posted at Hapa Railway Station which falls within the jurisdiction of Western Railway. According to him management is not in position to furnish any detail as to the employment or penalty imposed on the workman. Thus it is evident that either of the parties could not furnish the details of the matter, in which penalty was imposed on the workman.

4. The workman opted not to file a claim statement in the matter despite various opportunities. In view of the above circumstances a No Dispute Award is passed. It be sent to the appropriate Government for publication.

DR. R. K. YADAV, Presiding Officer

Date: 09-09-2009

नई दिल्ली, 5 नवम्बर, 2009

का. आ. 3288.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच,

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 42/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-11-2009 को प्राप्त हुआ था।

[सं. एल-12012/63/2007-आई आर.(बी I)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 5th November, 2009

S. O. 3288.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.42/2007) of Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure in the Industrial Dispute between the management of State Bank of India and their workmen, received by the Central Government on 5-11-2009.

[No.L-12012/63/2007-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL CUM
LABOUR COURT, SHRAM BHAWAN, ATI CAMPUS,
UDYOGNAGAR, KANPUR**

Industrial Dispute No. 42 of 2007

In the matter of dispute between—

The Joint Secretary,
National Confederation of Bank Employees,
2/263 Namneir,
Agra.

And

The Assistant General Manager,
State Bank of India,
Zonal Office, Region II,
Sanjai Place, Agra.

AWARD

1. Central Government, MOL, New Delhi, vide its notification No. L-12012/63/2007-IR(B-I) dated 11-09-07, has referred the following dispute for adjudication to this tribunal—

2. Whether the action of the management of SBI Agra in engaging Sri Trilok Singh workman for years together (more than Eleven years) and not regularizing him in messengerial sub staff category is legal and justified? If not to what relief the workman concerned is entitled to?

3. Brief facts are—

4. The applicant claimant Trilok Singh alleged that he was engaged as a Canteen Boy-Water Boy-cum-Peon against a regular and permanent vacancy at SBI Industrial Estate Branch Aligarh with effect from 23-06-95, and he is working as such till date. He has also stated that a number of such employees who have put in 30 days service on either temporary basis or on daily basis have since been absorbed permanently, but he has been deprived of the opportunity. The bank management is exploiting the need of the employment of the workman in taking work since 1995, on temporary basis and paying salary either by cheque

of Rs. 350 and now Rs. 500 and by way of TA bills etc., and not paying salary at the prescribed rate. Action of the bank management keeping him on daily wage basis continuously for more than 13 years is unfair and unjustified and amounts to unfair labour practice.

5. He has therefore, prayed that the opposite party be directed to regularize him with continuity of service and arrears of difference of wages and other benefits to be provided.

6. The opposite party has filed written statement. Opposite party has also denied and contradicted the assertion made by the applicant. It is alleged by the opposite party that the applicant was employed by Local Implementation Committee (hereinafter referred to as LIC for the sake of brevity) as canteen boy in the canteen maintained by it at Delhi Gate Branch Aligarh by the management bank. LIC looks after all affairs of the, canteen, including appointment and removal of canteen boys and payment of salaries paid to them as they deemed fit and the SBI is not at all connected with the management of such a canteen. It is also stated that SBI is a Public Sector Institution and as such is having a well established recruitment system. No recruitment can be done by any officer other than the procedure lay down as per rules: It is stated that there was no relationship of master and servant between the bank and the claimant. It is stated that as he was working in LIC, at certain occasion his services might have been availed by the management like serving water purely in casual capacity for which payment has been made to him on daily wage basis for the work performed by him, it cannot be termed to be employment with the bank. It is stated that there was no unfair labour practice adopted by the bank. Therefore, the opposite party has prayed that the claim of the claimant be rejected.

7. Workman has not filed any documentary evidence in support of his case.

8. Opposite party has filed photocopies of documents vide list paper No. 10/1 which are paper No. 10/2—10/11. Opposite party has also filed original documents vide list paper No.13/1 which are documents paper No.13/2—13/20.

9. I have heard the opposite party at length and perused the record and the evidence thoroughly. Despite giving several opportunities to the claimant, he has not adduced any documentary or oral evidence in support of his claim. The opposite party has contradicted the allegations of the workman and they have also produced oral as well as documentary evidence in support of the claim they have produced M.W.I Sri P K Gautam. When the applicant was working in LIC at Delhi Gate Industrial Estate Branch, Aligarh, as Canteen Boy, LIC used to make payments by cheque. The opposite party has filed the original copy of ledger paper No. 16/1 and the original cheque which are filed by list No.13/1. It is stated that the bank is a public institution and there is no control of the

bank over the canteen run by the LIC. There is no relationship of Trilok Singh with the bank as servant and master. Branch manager does not have any power to appoint any person. He was not paid by the bank any salary or allowances. He does not have any relations with the Industrial State Branch of Aligarh. Claimant has not made any cross examination of MW.I Sri Gautam. Therefore, his statement is uncontroverted. There is no reason to disbelieve the oral as well documentary evidence adduced by the bank.

10. Therefore from the evidence adduced by the opposite party, it appears that the claimant was never employed by the bank as an employee. He was employed by LIC. Opposite party has produced a number of rulings.

11. I have gone through the same and respectfully agree with the law laid down by the Apex Court. He has produced ruling in the case reported in 1996 LAB IC 1048, Employers in relation to the Management of Reserve Bank of India versus Their Workmen. In this case workmen were employed in canteen being run in offices of RBI. Held not employees of R.B.I.

12. Another ruling 2000 LAB IC 1482 SC, SBI and other versus SBI Canteen Employees concerning Bengal Circle and others.

13. In this case also provisions of Sastri Award were discussed—It is held that Sastri award does not cast any obligation on SBI to provide canteen facilities by running a canteen—It is also held that employees of canteen run by LIC cannot be claimed to be absorbed as employees of the bank-canteen run by LIC are non statutory canteen.

14. Therefore, in my view the applicant claimant has absolutely failed to prove his case. He has not produced any iota of evidence which can show relationship of servant and employer between him and the bank.

15. Therefore the award is decided in favour of the opposite party bank and against the claimant.

16. Award is answered accordingly.

RAM PARKASH, Presiding Officer

नई दिल्ली, 5 नवम्बर, 2009

का. आ. 3289.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल रेलवे के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 62/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-11-2009 को प्राप्त हुआ था।

[सं. एल-41012/254/95-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 5th November, 2009

S. O. 3289.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 62/97) of the Central Government Industrial Tribunal-cum-Labour

Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Central Railway and their workmen, received by the Central Government on 5-11-2009.

[No. L-41012/254/95-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, JABALPUR

No. CGIT/LC/R/62/97

Presiding Officer : Shri Mohd. Shakir Hasan

The Vice President,

All India Federation of Schedule Castes,
Backwards and Minorities Welfare Association,
1/135, S.P.M. Hoshangabad (M.P), ...Workman/Union

Versus

Divisional Railway Manager (P),

Central Railway,

Bhopal

....Management

AWARD

Passed on this 23rd day of October, 2009

1. The Government of India, Ministry of Labour vide its Notification No. L-41012/254/95-IR (B-1) dated 4-3-97 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of DRM (P), Central Railway, Bhopal in terminating the services of Shri Hussain Khan S/o Shri Zabbar Khan w.e.f. 3-2-1986 is justified? If not, to what relief the workman is entitled for?”

2. The case of the workman /Union in short is that the workman Shri Hussain Khan was a Gangman. He was served with a Charge-sheet dated 20-2-1984. It is alleged that on 9-2-1984 the workman misbehaved with Shri G. D. Misra, the then Pathway Inspector, H.B.D. and used filthy language against him. It is further alleged that the workman assaulted Shri S. N. Sachan, AEN (S) Bhopal causing grievous hurt while he was on duty. He is said to have submitted his explanation but the same was not found satisfactory to the management and the departmental enquiry was ordered to be conducted against him. The workman is said to have not given reasonable opportunity and the Enquiry Officer was biased and was under the influence of the disciplinary authority. The principle of natural justice and fair play was violated. The charges were not discussed separately and no finding was given separately of each charges. The enquiry report not show any reason and discussion of evidence for coming to the finding that the charges were proved. After enquiry, a show-cause notice was also issued by the Divisional Engineer (South) Central Railway, Jhansi on 3-2-1986 and without assigning any reason passed the order of dismissal from service w.e.f. 3-2-1986. The workman preferred an appeal against the order of dismissal. It is alleged that a criminal

नई दिल्ली, 5 नवम्बर, 2009

का. आ. 3290.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार द फेडरल बैंक लिमिटेड प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, एरनाकुलम के पंचाट (संदर्भ संख्या 10/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-11-2009 को प्राप्त हुआ था।

[सं. एल-12012/165/2006-आई आर. (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 5th November, 2009

S. O. 3290.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), Central Government hereby publishes the Award (Ref. No. 10/2007) of Central Government Industrial Tribunal-cum-Labour Court, Ernakulam as shown in the Annexure, in the Industrial Dispute between the management of The Federal Bank Ltd. and their workmen, received by the Central Government on 5-11-2009.

[No. L-12012/165/2006-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present : Shri P. L. Norbert, B.A., L.L.B., Presiding Officer

(Monday the 12th day of October, 2009/20th Asvina, 1931)

I.D. NO. 10/2007

Union : The General Secretary,
Federal Bank Employees Union,
Central Office, Alwaye-683 101

By Adv. Shri C. Anil Kumar

Management : The Chairman,
The Federal Bank Ltd.,
Head Office, Alwaye-683 101

By M/s. B. S. Krishnan Associates.

This case coming up for hearing on 5-10-2009, this Tribunal-cum-Labour Court on 12-10-2009 passed the following:

AWARD

This is a reference made under Section 10(1)(d) of Industrial Disputes Act. The reference is :—

“Whether the action of the management of Federal Bank Ltd. with its Headquarters at Alwaye, Kerala in

dismissing Shri K.J. Jacob, Bankman from the Thumpolly branch of the bank vide order No. PIR/MI/PF-7380/AW-12/235/03 dated 27-01-2003 is proper and justified? If not, to what relief the workman is entitled to?”

2. The facts of the case in brief are as follows: Shri K.J. Jacob was a Bankman of Federal Bank at Thumpolly branch of Aleppey district. The management alleged that he remained absent from 05-09-2003 to 09-12-2003 exceeding 30 days continuously without intimation and violated the leave rules. It is further alleged that again he remained absent from 07-02-2004 unauthorisedly and resumed duty only on 28-04-2004. It is further alleged that he had issued six cheques without maintaining sufficient balance in his account and the cheques returned for want of sufficient fund. Another allegation is that the workman on 15.10.2004 entered the cabin of Assistant General Manager of the Regional Office, Alappuzha in a drunken state, threatened and abused AGM. On the same day evening he visited Mullackal branch of the bank under the influence of alcohol and attempted to shake hand with the Chief Manager of the branch and kiss him. Though he went out he returned soon and expressed sorry for his behaviour and saluted the Chief Manager. It is further alleged that the workman continued to remain absent without intimation for a period exceeding 30 days from 18-06-2004 to 25-10-2004. On the basis of these allegations two charge sheets were issued to him and two enquiries were ordered. In the enquiries he was found guilty of all the charges and was dismissed from service without notice. Though he filed an appeal he did not succeed. Hence the reference.

3. According to the Union there are no materials to find that the workman is guilty. The enquiry was conducted in violation of the principles of natural justice. The workman was not given sufficient opportunity to defend in the enquiry. The Enquiry Officer was biased. The punishment is too harsh and disproportionate to the charges. The workman has no employment. He is the sole bread winner of the family and prays for reinstatement.

4. According to the management the enquiries were conducted strictly in accordance with the provisions of Bipartite Settlement and following the principles of natural justice. In both enquiries the workman was defended by a defence representative. Sufficient opportunity was given to cross-examine all the management witnesses and adduce defence evidence. It is on the basis of the evidence on record that the Enquiry Officer found the workman guilty of all the charges. Copies of findings were furnished to the workman for his comments. The disciplinary authority, after considering the submissions of the workman, documents and other evidence in the enquiry, accepted the findings of Enquiry Officer and imposed the punishment of dismissal without notice. Though the defence was given sufficient opportunity to adduce defence evidence neither any

witness was examined nor any document was produced. There are no mitigating circumstances to take a lenient view in the matter of punishment. The workman is not entitled to be reinstated.

5. In the light of the above contentions the following points arise for consideration :

1. Are the findings sustainable ?

2. Is the punishment proper?

6. The evidence consists of Exts. M 1 and M2 Enquiry Files alone.

7. Point No.1 :—Ext.M-2 Enquiry File relates to the first enquiry. Ext.E-1 is the charge sheet dated 30-10-2003. The only charge as per Ext. E-1 is that the workman remained absent without applying for leave from 05-9-2003 and produced medical certificates for the period from 09-09-2003 to 11-09-2003. However he did not report for duty on 12-09-2003, but remained absent till date of Ext.E-1 charge sheet dated 30-10-2003 and the absence exceeded 30 days. Again Ext.E-2 charge sheet was issued on 26-11-2003 alleging that a cheque issued by the workman to Sri.D.V.Chandra Babu for Rs.20,000 returned for want of sufficient fund in the account of the workman. The payee lodged a complaint with the bank. Again a 3rd charge sheet was issued (Ext.E-3) on 14-05-2004 alleging that he remained absent unauthorisedly, without intimation from 07-02-2004 to 28-04-2004. It is also alleged that he had issued five cheques without maintaining sufficient balance in his account. As a result all the 5 cheques returned without payment. Ext.E-4 is the reply of the workman to the memoranda of charges. He contends in the reply that since he was sick he had availed leave and had applied for leave with medical certificates whenever he was absent. Regarding five cheques his contention is that he had given the cheques as security in connection with the purchase of articles. It is against the understanding between the parties that the cheques were presented. However thereafter those financial liabilities were settled. So also he contends that he had borrowed some money and issued a cheque to Sri.Saji in order to help his friend. However the liability was settled later.

8. As per Ext. E1 charge sheet the first allegation is that he remained absent from 05-09-2003 onwards till 09-12-2003. Meanwhile he produced a medical certificate requiring him to take 3 days' rest for the period from 09-09-2003 to 11-09-2003 (Ext.ME.9-c). He should have joined duty on 12-09-2003. But he did not do so and resumed duty only on 09-12-2003. Bank sent telegram on 06-10-2003 (Ext.ME.9-a) and letter dated 07-10-2003 (Ext.ME-9-b) asking the workman to report for duty immediately. However he did not do so until 09-12-2003 and then submitted leave application, medical certificate and fitness certificate for leave from 05-09-2003 onwards (Ext.ME-10a, b and c). MW2

is the Manager of Thumpolly branch. He has given evidence regarding the absence of the workman and the notice issued to him asking him to report for duty, his failure to resume duty and late submission of leave application and medical certificate. He also says that no intimation either written or oral was given by the workman regarding his absence until he resumed duty on 09-12-2003. Thus he had remained absent continuously without intimation for a period exceeding 30 days from 12-09-2003 to 09-12-2003. It is on the basis of this evidence that the enquiry officer found him guilty of gross misconduct of remaining absent in violation of the leave rules and Clause 19.5(p) of 6th Bipartite Settlement dated 14-02-1995.

9. As per Ext.E-3 charge sheet the allegation is that the workman remained absent from 07-02-2004 to 27-04-2004. He produced a medical certificate and applied for leave only on resuming duty. The period of continuous absence was 80 days. Exts.ME-14a, b and c are the leave application, medical certificate and fitness certificate submitted on resuming duty after 80 days' absence. But it is admitted by the management that a nil dated letter was received in the Branch on 25-02-2004 through a bearer informing that the workman and his children were sick and needed leave but without specifying the nature of sickness and the probable period of leave required. As per Ext.ME-21 leave rules one has to apply for leave other than casual leave well in advance before the commencement of leave except in urgent cases or unforeseen circumstances like illness. But that does not mean that an employee can submit medical certificate as and when he likes. He has to do it without delay. Since he applied for leave with medical certificate only after resuming duty, the misconduct is found to be a minor misconduct of remaining absent without leave by the Enquiry Officer and the finding calls for no modification.

10. As per Ext. E-2 charge sheet the allegation is that the workman had issued a cheque for Rs. 20,000 in favour of Sri D. V. Chandra Babu. But the cheque when presented was not encashed for want of sufficient fund in the account of the workman. The payee lodged Ext. ME-2 complaint to the bank. It was forwarded to the head office by the Manager. Ext. ME1 is the report of Manager (MW2) to the head office about the borrowal of money by the bank employee and dishonour of the cheque. Exts. ME3, 4 and 5 are photocopy of cheque dishonour memo and letter of State Bank of India to Chandra Babu informing the return of cheque. Ext. ME6 is the cheque return register showing that the cheque sent for collection returned. Ext. ME-30 is the statement of joint account of workman and his wife. The balance in the account as on 01-08-2003 was Rs. 11 and paise 23 only. As per Ext.ME-30 from the date of Cheque till 31-3-2004 at no point of time there was sufficient

balance to honour the cheque, As per Ext. ME-8 instructions of the bank an employee has to maintain sufficient balance in his account before issuing cheques to anyone. The contention of the workman that the liability was settled with Sri. D. V. Chandra Babu is no defence to the allegation of violation of instructions of the bank.

11. As per Ext.-3 charge sheet the allegation is that five cheques issued to T. V. House, Bajaj Auto and an individual Saji M. B. returned for want of sufficient fund in the account of the workman. Ext. ME-31 is the cheque return register. It shows that all the five cheques returned without encashing. As per Ext. ME-8 Bulletin already referred the conduct of the workman is against the instructions of the bank. The Enquiry Officer on the basis of the records found the workman guilty of minor misconduct of breach of any rule of the business of the bank or instruction for running of any department. The finding is in order.

12. As per Ext. ME-1 Enquiry file there are two charges. Ext. E-1 is the charge sheet dated 08-06-2005. The first charge is that the workman had visited the Regional office of the bank at Alappuzha on 05-10-2004 around 4 p.m., entered the cabin of Assistant General Manager in a drunken state requesting him to recommend to the Manager of Thumpolly branch to sanction his loan. A.G.M. refused to do so on the ground that his leave was irregular. The workman then got wild and threatened and abused A.G.M. A clerk by name Narayanan was called to the cabin of A.G.M. and the workman was whisked away by him. On the same day around 7 p.m. the workman visited Mullackal branch in a drunken state and tried to shake hand and kiss the Chief Manager of the branch outside his cabin. Thereafter he entered the cabin of the Chief Manager and sat on a chair asking why the A.G.M. and Chief Manager were not respecting him. Then he went out of the cabin and came back and said to the Chief Manager that he was sorry for the incident and saluted him.

13. MW1 is the Investigating Officer of Vigilance Department. He had investigated about the incident and submitted Ext. ME-1 report to the head office, wherein he has narrated the incident that took place in the cabin of A.G.M. He also gave evidence in the enquiry. MW-4 is Sri N.G. Sasidharan, Sr. Manager of Regional office. He says that he had witnessed the incident. According to him A.G.M. had telephoned him for sending Clerk Narayanan to his cabin. After sometime MW-4 heard a loud noise from outside the cabin of A.G.M. The workman was shouting at and threatening the A.G.M. MW-6 is the A.G.M. and he has narrated the incident. Ext. ME-2 is the report sent by A.G.M. to the head office. Ext. ME-4 is statement of MW6 given to the investigating officer, MW-1. Other witnesses who saw the incident gave statements to MW1 and those statements are Exts. ME-5

(of N.G. Sasidharan, Sr. Manager), ME-6 (of T. Kalyana Subramanian, Sr. Manager), ME-7 (of Issac Abraham, Manager, Admn.) and ME-8 (of H. Narayanan, Clerk). The aforementioned evidence prove that the incident is true.

14. Another incident which took place on the same day was at Mullackal branch. Sri. Cherian M. Mattom was the Chief Manager of Mullackal branch on 15-10-2004. He was examined as MW3. He has given evidence that on 15-10-2004 around 7.15 p.m. workman had visited the branch and tried to shake hand with him which he refused. Then the workman tried to kiss him and the witness avoided. When the Chief Manager entered his cabin the workman followed him to the cabin, sat on a chair, spoke loudly, kept open the door of the cabin, switched on the fan and asked him why A.G.M. and MW3 were not respecting the workman. He then went out of the cabin and returned soon and said that he was sorry and saluted the witness. There is no successful challenge in the cross examination of MW3 regarding the incident. Ext. ME-3 report was sent by MW3 about the incident to the head office. MW 1, the Investigating Officer has also deposed in the enquiry that he came to understand during investigation that the workman had behaved in a disorderly manner under the influence of alcohol and misbehaved to the Chief Manager. In the light of this evidence the Enquiry Officer found that the 2nd incident is also true and the finding requires no alteration.

15. The 2nd charge as per Ext. E1 is that the workman had remained absent from 18-6-2004 to 10-09-2004, on 8-10-2004 and from 14-10-2004 to 25-10-2004 continuously exceeding 30 days. He applied for leave with medical certificate only after resuming duty. On several occasions he had remained absent previously. The leave applications with medical certificates were submitted on 11-09-2004, 09-10-2004 and 26-10-2004 for the above periods of absence. MW5 Sri. K. I. Soman was the then Principal officer of Thumpolly branch and leave sanctioning authority of that branch where the worker was employed. According to him no oral or written intimation was given to the branch either before or during the period of absence. Exts. ME-25 to 29 are the attendance registers. As per the attendance registers the workman remained absent during aforementioned periods. His leave applications are Ext. ME-15, 19 and 23. They were submitted along with medical certificates, but after resuming duty. Ext. ME-11 is the leave rules which stipulates that one has to apply for leave other than casual leave well before the commencement of leave except in urgent cases or any unforeseen circumstances including illness. The bank had sent Ext. ME-12 telegram and ME-13 registered letter asking the workman to report for duty immediately. He neither reported for duty nor informed the bank about the reason for his absence. As

per Clause 19.5(p) of 6th Bipartite Settlement dated 14-02-1995 remaining absent without intimation continuously for a period exceeding 30 days is a gross misconduct. Since the workman was absent continuously without intimation exceeding 30 days he was found guilty of gross misconduct by the Enquiry Officer. The period from 18-06-2004 to 10-09-2004 comes to 85 days. In the light of the aforementioned evidence the workman is guilty of gross misconduct of remaining unauthorisedly and continuously absent without intimation for a period exceeding 30 days. The finding of the Enquiry Officer is in order.

16. For the reasons stated above I hold that the charges levelled against the workman are found proved on the basis of the documentary and oral evidence adduced in the enquiry and the findings do not require any interference by this court.

17. Point No. 2:—A copy of the findings of the Enquiry Officer was given to the workman for his comments. He was also heard regarding the proposed punishment. It is thereafter that the punishment of dismissal was imposed by the disciplinary authority. He had filed an appeal and the submission made before the Appellate Authority is that he is innocent, that due to mental and physical illness and family problems he was not able to attend the office regularly, that he was under treatment in different hospitals due to an accident, that he has fully recovered from his illness and he is able to work regularly, that due to the illness there were financial liabilities and they are all now settled, that he has not misbehaved to A.G.M. purposely, that he has to look after his parents, wife and two school going children, that he is the sole bread winner of his family, that there is no alternate employment and that there will be no such lapses in future. However considering the seriousness of the misconduct the appellate authority was not inclined to reduce the punishment.

18. It is seen from the records that for unauthorised absence there was a previous disciplinary proceedings and he was punished with stoppage of increment for a period of one year with cumulative effect. That apart, he has committed a serious misconduct of disorderly and discourteous behaviour to A.G.M. and Chief Manager under the influence of liquor. The workman was a bankman in service. He had shown the courage and audacity to threaten and abuse a high official of the bank and misbehave to another Sr. Manager of the bank in the presence of officials of the bank. Such indiscipline is intolerable especially from an employee of the lower strata. Unless punishment which is commensurate with the misconduct is imposed repetition of such misconduct cannot be deterred. In the above circumstances no interference in the quantum of punishment is called for.

In the result an award is passed finding that the action of the management in dismissing the workman Sri. K.J. Jacob from service is legal and justified and he is not entitled for any relief.

The award will come into force one month after its publication in the official gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 12th day of October, 2009.

P. L. NORBERT, Presiding Officer

Appendix

Witness for the Workman - Nil.

Witness for the Management - Nil.

Exhibit for the Workman - Nil.

Exhibit for the Management

M1 - Enquiry File.

M2 - Enquiry File.

नई दिल्ली, 5 नवम्बर, 2009

का. आ. 3291.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार द फेडरल बैंक लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एरनाकुलम के पंचाट (संदर्भ संख्या 15/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-11-2009 को प्राप्त हुआ था।

[सं. एल-12012/4/2007-आई आर (बी-1)।]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 5th November, 2009

S. O. 3291.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 15/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Ernakulam as shown in the Annexure in the Industrial Dispute between the management of The Federal Bank Ltd. and their workman, received by the Central Government on 5-11-2009.

[No. L-12012/4/2007-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT ERNAKULAM

Present : Shri P. L. Norbert, B.A., L.L.B., Presiding Officer

(Wednesday the 30th day of September, 2009/8th
Asvina, 1931)

I.D. 15/2007

Union : The General Manager,
Federal Bank Employees Union,
Central Office, Aluva.

By Adv. Shri C. Anilkumar.

Management : The Chairman,
The Federal Bank Ltd.,
Head Office, Aluva.

By Adv. M/s. B.S. Krishnan Associates

This case coming up for hearing on 24-09-2009, this Tribunal-cum-Labour Court on 30-09-2009 passed the following.

AWARD

This is a reference made under Section 10(1)(d) of Industrial Disputes Act. The reference is :—

“Whether the action of the management of Federal Bank Ltd., Aluva in imposing punishment of reduction of Basic Pay by two stages in the scale of pay on Sh. G. Idichandy, Clerk, P.F. No. 736 is just and reasonable? If not, what relief the workman is entitled to?”

2. The facts of the case in brief are as follows :—
Shri G. Idichandy was a Clerk of Ooor branch in Kollam district. While so, on 29-4-2003 while tallying the cash an excess of Rs. 5,000 was found. The difference could not be located. It is alleged that subsequently the workman tried to misappropriate the money by creating records in collusion with customers. There was yet another allegation that he had discouraged customers from dealing with the management bank and acted against the interest of the bank. There was also allegation that two cheques issued in favour of HDFC bank were dishonoured due to insufficiency of funds. On the basis of these allegations a charge sheet was issued to him and an enquiry was conducted. He was found guilty of the charges levelled against him and the disciplinary authority imposed a punishment of reduction of basic pay by two stages. Aggrieved by the disciplinary action union raised a dispute which was referred to this court.

3. It is contended by the union that there is no evidence worth mentioning to prove the allegations against the workman. The charges are cooked up allegations. The enquiry was conducted in violation of the principles of natural justice. The documents of the management are fabricated records. The documents were marked through incompetent witnesses. The punishment imposed is unsustainable. The past unblemished service of the workman was not considered by the disciplinary authority.

4. The management contends that the workman tried to embezzle Rs. 5,000 found as excess in collusion with certain customers of the bank. The workman had behaved in a manner which is not conducive to the business of the bank. Two cheques issued by him were dishonoured for want of sufficient funds. The vigilance investigation revealed that there was a prima-facie case against the workman. Hence he was placed under suspension and an enquiry was ordered. The workman was defended by a representative. The management witnesses were cross examined. The defence was given opportunity to adduce defence evidence. But no witnesses were examined. Two documents produced on the defence side were marked. The disciplinary authority had given a personal hearing regarding proposed punishment and after taking into consideration the submission of the workman the punishment was imposed. The appeal filed by him was rejected. The punishment is legal and proportionate to the gravity of the misconduct. There is no justification in interfering with the disciplinary action.

5. In the light of the above contentions the following points arise for consideration.

1. Are the findings sustainable?

2. Is the punishment proportionate?

The evidence consists of Ext. M-1 enquiry file alone.

6. Point No. 1 :— Shri G. Idichandy joined the service of Federal Bank in 1972. He was working at Ooor branch of Kollam district during 2003. On 29-4-2003 he was attending the main Cashier's section. On that day when cash was tallied an excess cash of Rs. 5,000 was found. The discrepancy could not be located. The explanation of the workman was not satisfactory to the management and hence he was placed under suspension as per order dated 21-7-2003. Thereafter on 23-8-2003 a charge sheet was issued to him raising three charges. Ext. E-1 is the charge sheet. The charges are that on 29-4-2003 an excess amount of Rs. 5,000 was found in his counter and the difference in cash could not be located. Hence the amount was credited to 'account payable account'. However the workman in collusion with certain customers of the bank fabricated documents with a view to embezzle Rs. 5,000. The 2nd charge is that the workman discouraged customers from dealing with Federal Bank, Ooor branch on the ground that the interest rate was very low, the Branch Manager was not giving loans, deposits exceeding Rs. 50,000/- was subjected to income tax at the hands of the bank itself etc. The 3rd charge is that two cheques issued in favour of HDFC bank returned for want of sufficient funds in the account of the workman. Ext. E-3 is the explanation of the workman to the memo of charges. He has totally denied the charges except the dishonour of two cheques which

according to him happened because of suspension and non crediting of salary in his account. The management was not satisfied with the explanation. Hence an enquiry was ordered.

7. The Senior Manager of Vigilance Department (MW-1) had conducted an investigation prior to the domestic enquiry. In the investigation it was found that on 29-4-2003 in the counter of the workman there was an excess cash of Rs. 5,000 which was credited to 'account payable account'. But the workman tried to misappropriate that money by submitting applications of customers to the Branch Manager claiming the amount. The conduct of the workman was against the interest of the bank. The reason for dishonour of two cheques issued by the workman was also investigated. The workman has admitted that there was an excess cash of Rs. 5,000 on 29-4-2003 in his counter which was credited to 'account payable account'. According to the management an application in the handwriting of the workman purported to be prepared by Smt. Susamma Mathew, W/o Koshy Mathew an NRE Account holder and neighbour of the workman, was submitted to the Branch Manager claiming that out of the cheque amount of Rs. 25,000 the payee, Sri Sudheer had received only Rs. 20,000 and the balance amount of Rs. 5,000 was to be given to Smt. Susamma Mathew which she did not receive. This is denied by the workman in his reply Ext. E-3. However the bank had written Ext. ME-25 letter to NRE Account holder Sri Koshy Mathew enquiring about the cheque transaction for Rs. 25,000 and whether the full amount was received by the payee or not? Ext. ME-26 is the reply of Shri Koshy Mathew. The customer was irritated by frequent enquiries by the bank in his house about the transaction and so he replied that in future no clarifications shall be sought from him or from his family. But he clarified that the cheque amount of Rs. 25,000 was intended to be paid only to Sri Sudheer and the amount in full was received by Sri Sudheer. Meanwhile Sr. Manager informed the workman that application of Smt. Susamma Mathew cannot be entertained because she was neither the account holder nor the payee of the cheque. On 7-5-2003 the application was returned to the workman. The workman does not admit the return of the application. But the Manager (Admn.), MW-2 has given evidence that the application of Smt. Susamma Mathew was prepared in the handwriting of the workman. On 8-5-2003 another customer by name Santhosh of M/s. S. R. Super Market, Oyoor made a claim for Rs. 5,000 said to have been remitted by him but not credited in his account. Ext. ME-15A is his complaint dated 8-5-2003 submitted to the Manager of Oyoor Branch. Ext. ME-16 is copy of counter foil of remittance slip for Rs. 5,000 dated 29-4-2003. According to the management Sri

Santhosh submitted the claim through the workman. Ext. DE-1 complaint was submitted to the Chairman of the bank on 29-4-2003. Ext. ME-18 is a letter dtd. 1-7-2003 addressed to the Manager of the Vigilance Department by Sri Santhosh complaining that on 29-4-2003 he had entrusted Rs. 5,000 to the workman who was in the cash section for crediting it in his account. He had also given a pay-in-slip. However the amount was not credited in his account. He came to know about it only on 8-5-2003.

8. It is to be noted that Sri Santhosh has different versions about the manner in which Rs. 5,000 was entrusted to the workman for remittance in his account. As per Ext. DE-1 he says that he himself had remitted Rs. 5,000 on 29-4-2003. But Ext. ME-18 letter to the Manager of Vigilance Department he says that he had entrusted the money to the workman and thereafter took a pay-in-slip from the counter and returned to his office for fixing the seal of the shop in the pay in slip. Then the pay-in-slip was handed over to his employee Sri Saju for giving it to the Cashier of the bank. But the amount was not credited in his account. Ext. ME-19 is a statement of Smt. Seema Kareem, a Clerk of Oyoor branch, given to the Sr. Manager of Vigilance Department on 1-7-2003. She says that on 7-5-2003 the workman had approached her around 3.30 p.m. and asked for the cash received seal. He took the seal and after sometime it was returned. Subsequently when Smt. Seema Kareem affixed seal on a pay-in-slip of a customer she noticed that the date and month on the seal were incorrect. Ext. ME-14A is counter foil of pay-in-slip for Rs. 50 dated 7-5-2003 for crediting in the S. B. Account of one R.Chandrika. However the cash received seal contained date of '38'. According to the management while the seal was returned to Seema Kareem the date and month of seal was 38th April. The original of counter foil of pay in slip for Rs. 5,000 (Ext. ME-16) was corrected with ink as 29-4-2003. When Seema Kareem affixed the seal in Ext. ME-14A counter foil, the date of seal was 38 April. This happened due to the reason that the workman had tried to change the date to 29-4-2003. But actually Ext. ME-16 counter foil was prepared on 7-5-2003 and the cash received seal was taken from Smt. Seema Kareem on 7-5-2003. Ext. ME-23 is the statement of MW3, Sri K.J. Chacko, Sr. Manager given to MW1. The statement shows that besides the application of Smt. Susamma Mathew, Sri Santhosh had also given a claim application on 7-5-2003. But they were fake claims based on fabricated documents. MW3 has deposed that Smt. Susamma Mathew had claimed Rs. 5,000 through the workman and the application was in the handwriting of the workman. On 7-5-2003 it was taken back by the workman. On 8-5-2003 the workman submitted another application of Sri Santhosh to MW2 which was forwarded to MW3. But Santhosh had different versions about the mode of remittance of Rs. 5,000. The workman

had put his signature instead of initial which is the normal practice, in Ext. ME-16 counter foil. The date of cash received seal was seen corrected by ink as 29-4-2003. Hence the matter was reported to the superior Officer.

9. Thus it is seen from the documents and oral evidence of MW1 to 3 that an application of Smt. Susamma Mathew prepared in the handwriting of the workman was submitted to the Manager of Oyoor branch claiming Rs. 5,000. But the husband of Smt. Susamma Mathew who had drawn the cheque for Rs. 25,000 in favour of one Sudheer admitted that the payee had received the full amount and nothing was outstanding to be paid. Then the 2nd claim was made by Sri Santhosh. But the versions of Santhosh regarding the mode of remittance give room for doubt, according to Sri Santhosh an amount of Rs. 5,000 was entrusted to the workman who was in the cash counter on 29-4-2003 for remittance into his account. But the date of cash received seal was corrected. The seal that was in the counter of Smt. Seema Kareem was taken by the workman for affixing the seal on Ext. ME-16 pay-in-slip. But the date of seal in Ext. MW-16 was corrected with ink. When Smt. Seema Kareem affixed the seal on Ext. ME-14A counter foil of pay-in-slip of another customer she noticed some change in the date of the seal. These strong circumstances point the finger at the workman for staking a fake claim.

10. The 2nd charge is that the workman used to discourage and dissuade the customers from having business with Federal Bank on the ground that the rate of interest was very low, the Branch Manager was not sanctioning loans, deposits exceeding Rs. 50,000 were subjected to income tax etc. MW1 has given evidence in support of the allegations against the workman (page 13 of the proceedings in Ext. M1). According to MW2 the workman was instrumental in creating publicity that bank was adopting a negative approach in business development. According to MW3 the workman had persuaded customers to close their accounts in Federal Bank (page 32). Ext. ME-27 is the report of MW3 to the Vigilance Department about the general behaviour of workman which was against the interest of the bank. Ext. ME-20 is a statement of Smt. Susanna C. George, Clerk of Oyoor branch given to the Vigilance Department on 2-7-2003. According to her she has heard the workman persuading customers to close their accounts in Oyoor branch and go elsewhere since the Manager was not sanctioning loans, the interest rate was very low and it was better to approach Muthoot Bank. He had also instigated customers not to remit more than Rs. 50,000 lest they be subjected to income tax. It is further stated that the workman used to abuse the sub-staff of the bank. The testimony of MWs. 1 to 3 regarding the behaviour of the workman is not

successfully challenged by the defence. There is no contra evidence. The charge stands proved.

11. The 3rd charge is that the workman had issued two cheques in favour of HDFC Bank. But when they were presented for encashment they were dishonoured for want of sufficient funds in the account of the workman. In Ext. E3 reply to the memo of charges the workman has admitted that he had issued two cheques and they were dishonoured for lack of funds in the account. But according to him it happened due to the fact that he was under suspension since 23-8-2003 and no salary was credited to his account thereafter. The workman cannot take shelter under the disciplinary proceedings or suspension order. Ext. ME-30 is the Federal Bank Bulletin which says that employees of the bank have to maintain sufficient balance in their accounts in order to honour cheques as and when they are presented for payment. It was the duty of the workman to see that sufficient balance is maintained in order to honour the cheques issued by him. Since he has failed to do so it is against the instructions of the bank in the Bulletin. The 3rd charge also stands proved. The Enquiry Officer has recorded the findings based on evidence and circumstances and call for no interference.

12. **Point No. 2 :—** The punishment imposed is reduction of basic pay by two stages in the scale of pay. Since the findings are confirmed and since the punishment neither falls under Section 11-A of I.D. Act nor violates any provision of Bipartite Settlements or provisions of law, this court has no power to alter the punishment. Besides the punishment is definitely in proportion to the gravity of the misconduct. Hence I refrain from interfering with the order of punishment as well.

In the result an award is passed finding that the action of the management in imposing the punishment of reduction of basic pay by two stages in the scale of pay on the workman, Sri. G. Idichandy is legal and justified and he is not entitled for any relief.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 30 day of September, 2009.

P. L. NORBERT, Presiding Officer

APPENDIX

Witness for the Workman	-	Nil
Witness for the Management	-	Nil
Exhibit for the Workman	-	Nil
Exhibit for the Management	-	Nil

नई दिल्ली, 5 नवम्बर, 2009

का.आ. 3292.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार साजुथ मलाबार ग्रामीण बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एरनाकुलम के पंचाट (संदर्भ संख्या 11/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-11-2009 को प्राप्त हुआ था।

[सं. एल-12012/177/2006-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 5th November, 2009

S.O. 3292.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 11/2007) Central Government Industrial Tribunal-cum-Labour Court, Ernakulam as shown in the Annexure in the Industrial Dispute between the management of South Malabar Gramin Bank and their workmen, received by the Central Government on 5-11-2009.

[No. I.-12012/177/2006-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM PRESENT

Shri. T. Norbert, B.A., LL.B., Presiding Officer

(Thursday the 3rd day of October, 2009/16th Asvina, 1931)

I.D. 11/2007

Workman : M.P. Ravindran,
Mundapalliyal House, Elamkulam
Kunnakkavu P.O. Malapuram-679340.
By Adv. Shri C. Anil kumar.

Management : The Chairman,
South Malabar Gramin Bank,
Head Office, Malappuram.
By Adv. M.S. Unnikrishnan.

This case coming up for hearing on 1-10-2009, this Tribunal-cum-Labour Court on 8-10-2009 passed the following.

AWARD

This is reference made under Section 10(1)(d) of Industrial Disputes Act. The reference is :

"Whether the action of the management of South Malabar Gramin Bank in dismissing Shri M.P. Ravindran, a former messenger of the Bank on the alleged misconduct of the embezzlement of depositors' customers fund as fair and justifiable? If not, what relief Shri Ravindran is entitled to?"

2. The facts of the case in brief are as follows :—

Shri M.P. Ravindran joined the service of South Malabar Gramin Bank, Elamkulam Branch of Malappuram

District as full time messenger in 1982. While so on the allegation of embezzlement of money of customers he has placed under suspension on 2-3-2005, a charge sheet was issued on 29-4-2005 and an enquiry was conducted. Five charges were levelled against him. He was found guilty of all except 3rd charge and was dismissed from service. Though he filed an appeal he did not succeed.

3. According to the workman the enquiry was conducted in flagrant violation of principles of natural justice. The workman was not provided with opportunity to defend. Material witnesses were not examined and sufficient opportunity was not given to examine defence witnesses. There is no legal and acceptable evidence to prove the charges. The findings are perverse. The punishment imposed is disproportionate to the charges. The workman has an unblemished past service record for a period of 23 years. He is the only earning member of a poor family consisting of wife and Two children. His wife is unemployed. The workman has crossed the age of 43 years. There is no possibility for getting an alternate employment. He is entitled to be reinstated.

4. According to the management the workman had participated in the enquiry throughout. He was defended by a defence representative. All the management witnesses were cross-examined. There defence witnesses were examined. A copy of the report was furnished to the workman calling for his representation. The disciplinary authority after considering the representation of the workman accepted the findings of Enquiry Officer. A notice of proposed punishment was given to the workman calling for his representation. He was also heard personally. Considering the gravity of the misconduct the penalty of dismissal was imposed. The appeal filed by him was rejected. There is no infringement of any legal rights or violation of the principles of natural justice in the enquiry. The disciplinary authority had considered all the mitigating circumstances while determining the quantum of punishment. There is no reason to reduce the punishment.

5. In the light of the above contentions the following points arise for consideration :

1. Are the findings sustainable ?
2. Is the punishment proper?

6. The evidence consists of oral testimony of MW 1 and documentary evidence of Ext.M 1 Enquiry File on the side of the management and no evidence on the side of workman.

7. Point No. 1 :— Ext. P-51 of Ext. M1 enquiry file is the charge sheet. Five charges are levelled against the workman. The first and second charges are co-related and they are that on 14-9-2004 the workman had obtained a loan of Rs. 60,000 from customer Shri M.P. Kunju Beeran promising to repay in a week. Out of this amount Rs. 10,000 was taken by the workman personally and Rs. 50,000 was credited to one Ali's Account. On 28-10-2004 he informed Kunju Beeran that he had remitted Rs. 60,000 in Beeran's

account. However, he had remitted only Rs. 36,000. Believing the words of the workman, Beeran issued a cheque for Rs. 75,000 to one Hidayath. He also entrusted Rs. 15,000 to Hidayath requesting him to remit it in his account before presenting the cheque so that there will be sufficient amount in his account. Hidayath then gave the cheque to the workman and asked him to credit Rs. 75,000 in his father's account (Muhammed Haji). The workman without crediting the amount, made a false entry in the pass book of Mohammed Haji for Rs. 75,000 and returned the pass book to him. Later when Beeran remitted Rs. 1,20,000 in his account the workman presented the cheque of Hidayath for Rs. 75,000 got the money by debiting the account of Kunju Beeran and embezzled that amount. On the basis of a complaint of Kunju Beeran the bank initiated disciplinary proceedings.

8. According to the workman Ext. P-15 cheque for Rs. 60,000 is a self cheque of Kunju Beeran and the cheque amount was received by Kunju Beeran himself. No money was borrowed by worker from Kunju Beeran. In connection with the purchase of building materials the workman owed Rs. 60,000 to Kunju Beeran. That account was settled later and Kunju Beeran has admitted that fact and he has no complaint against the workman. Ext. P-11 is a letter given to the bank by Kunju Beeran on 21-2-2005 withdrawing his complaint against the workman on the ground that the financial dealings between him and the workman were settled and he has received amounts due to him with interest. However, evidence to be discussed will go to show that this was not the real state of affairs. The workman had promised to remit Rs. 60,000 in the account of Kunju Beeran within a week from the date of Ext. P-15 (14-9-2004). The subsequent events and issuance of cheque by Kunju Beeran to Hidayath and Hidayath transferring the cheque amount to the account of his father are linked to the assurance of worker to remit Rs. 60,000 in the account of Kunju Beeran. Ext. P-10 complaint of Kunju Beeran supports the case of the management regarding the dishonest and fraudulent conduct of the workman.

9. Ext. P-15 (page 84 of Ext. M1) is the cheque for Rs. 60,000 issued by Kunju Beeran. Ext. P-14 (page 83) is a statement of a Clerk of the bank, Sivasdas given to the Manager of the bank stating that out of Ex. P-15 cheque amount Rs. 50,000 was credited to the account of one Ali and Rs. 10,000 was paid to the workman. Ext. P-16 (page 85) is the pay-in-slip for Rs. 50,000 remitting it in the account of Ali. Though the worker had informed Kunju Beeran that he had remitted Rs. 60,000 in the account of Kunju Beeran on 28-10-2004, in fact he had remitted only Rs. 36,000. Ext. P-7 (page 76) in the pay is slip for Rs. 36,000 remitting the amount in the account of Kunju Beeran on 28-10-2004. The pay-in-slip is initialled by the workman. The workman admitted this when he was examined (page 47). Believing that there is a remittance of Rs. 60,000 in the account, Sri Kunju Beeran issued Ext. P-5 (page 74) cheque for Rs. 75,000 to Shri Hidayath. Sri Hidayath entrusted it to the workman asking him to credit the amount in the account of his father,

Muhammed Haji. Ext. P-4 is the pass book of Muhammed Haji (page 73). The last entry on 29-10-2004 relates to deposit of Rs. 75,000 and the entry was made by the workman. He has admitted it (page 46). Ext. P-3 (page 70) is the ledger folio of the account of Muhammed Haji. There is no corresponding deposit on 29-10-2004 or on any other date. The last two deposits as per Ext. P-3 were on 5-8-2004 and 10-2-2005. The amounts are Rs. 43 and 44 respectively. Thus the workman had recorded deposit of Rs. 75,000 in Ext. P-4 pass book on 29-10-2004 fraudulently. Ext. P-8 (page 77) is the pay-in-slip by which Kunju Beeran remitted Rs. 1,20,000 in his account on 12-11-2004. On the next day the workman presented the cheque for Rs. 75,000 issued by Beeran and obtained the amount. Ext. P-59 (page 153) is the ledger folio of the account of Kunju Beeran. It shows that on 12-11-2004 he had deposited Rs. 1,20,000. On 13-11-2004 cheque of Beeran bearing cheque No. 76429-1 for Rs. 75,000 (Ext. P-5) was presented and amount withdrawn. Therefore, the contention of the defence that the father of Hidayath had received the amount on presenting the cheque a second time, is not convincing because from the date of the cheque on 15-10-2004 till 12-11-2004 there was no sufficient balance in the account of Kunju Beeran to honour the cheque. Having made an entry regarding deposit of Rs. 75,000 in Ext. P-4, pass book of Muhammed Haji on 29-10-2004 it was not proper for the workman to return the pass book to Muhammed Haji or Hidayath without cancelling the entry. Having found that there is no sufficient balance in the account of Kunju Beeran it was necessary to return the cheque (Ext. P-5) with a dishonour memo showing the reason for dishonour. That was also not done. These circumstances go to show that the workman had not remitted the amount as promised by him in the account of Kunju Beeran, but made false entries and misappropriated the money. Sri Kunju Beeran gave Ext. P-10 complaint to the bank about the irregularities committed by the workman. Later he withdrew the complaint by Ext. P-11 letter. Ext. D1 is a statement given by Hidayath to the Investigating Officer of the bank. It is stated by Hidayath that he had approached the bank on 29-10-2004 with a cheque for Rs. 75,000 issued by Kunju Beeran and had requested the workman to credit that amount in the account of his father Muhammed Haji. But the cheque was returned in the evening stating that there is no sufficient balance in the account of Kunju Beeran. On 15-2-2005 again the cheque was presented. But he was told that there was no sufficient balance in the account of Kunju Beeran. It fortifies the case of the management that the workman had committed the irregularities and embezzled the money of customers. However, the learned counsel for the worker submits that as per Ext. D2 statement given to the Investigating Officer by Kunju Beeran on 3-8-2005 he had stated that an amount of Rs. 60,000 encashed on 14-9-2004 as per Ext. P-15 cheque was for his own need. But in the light of Ext. P-10 complaint to the bank on 21-2-2005, Ext. D2 can be considered only as an after-thought. In Ext. P-10 Kunju Beeran did allege that the workman had requested for a loan of Rs. 60,000 and he had issued a cheque to the workman and the latter had promised

to return the money within a week. Since the amount due to Kunju Beeran was received by him later, he did not want to pursue his complaint. But that will not alter the position prior to Ext. D2. In the light of the evidence discussed above, there can be no doubt that charges 1 and 2 stand proved.

10. Charge No. 3 is found not proved by the Enquiry Officer.

11. The 4th Charge is that one Sri. C. Sankaran Nair an Ex-NRI account holder had availed a VSL loan for Rs. 2,00,000. He was familiar with the workman. Using the position as a bank employee the workman diverted this amount of Rs. 2,00,000 for closing the gold loan of his cousin Sri. M. P. Suresh kumar. Ext. P-26 (page-96) is the debit slip for Rs. 2,00,000. Later the workman remitted Rs. 1,47,612 in the account of Sankaran Nair by Ext. P-24 pay-in-slip (page-94). It is prepared and signed by the workman. The workman has admitted this (page 47). By Ext. P-22 challan (page 92) the workman again remitted Rs. 50,000 in the account of Sankaran Nair on 8-6-2004. Ext. P-22 is signed by the workman. It is to be noted that on 8-6-2004 the wife of Sankaran Nair Smt. Chandrika had been to bank to withdraw an amount of Rs. 50,000 from her account. Yet Ext. P-22 remittance was made by the workman in the account of Sankaran Nair and not by Smt. Chandrika. Ext. P-18 is the withdrawal slip signed by Smt. Chandrika for withdrawing Rs. 50,000 on 8-6-2004. The workman had thus made two remittances to the account of Sankaran Nair. No doubt DW1 Sri. M. P. Sureshkumar has given evidence that gold loans were availed by him for his personal needs and loan amounts were remitted by him and accounts were closed by him. But DW1 being the cousin of the workman he is an interested witness. The evidence and the circumstances go to show that the workman had utilised the VSL loan amount for his personal purposes and later remitted the amount and closed the account. It is true that Sankaran Nair has not made any complaint against the workman. But workman and Sankaran Nair are friendly and the VSL loan transaction has not caused any loss to Sankaran Nair. However, the records reveal the workman has fraudulently raised a loan in the name of Sankaran Nair for meeting needs of the workman.

12. Charge No. 5 is that Smt. Aysha an account holder had entrusted Rs. 5,000 to the workman on 7-1-2005 for depositing it in her account. The pass book was also entrusted to the workman. After a few days when she got the pass book from the workman she found that the remittance she had made on 7-1-2005 was credited only on 23-2-2005.

13. Ext. P-37 is the complaint of Smt. Aysha dated 25-2-2005 (page 108). Ext. P-38 is the ledger folio of the account of Aysha. The last entry is of 23-2-2005 for Rs. 5000/- Ext. P-39 is the pass book. The last entry in the pass book is deposit of Rs. 5000. But the date of remittance is not discernable. However, the workman has admitted that the entry was recorded by him in the pass book (page 48). Ext. P-35 (page 105) is the pay-in-slip for Rs. 5000 dated

22-2-2005 by which Rs. 5000 was remitted to the account of Aysha. The workman has admitted that Ext. P-35 was prepared by him in his handwriting and the amount was remitted by him (page 48). It is relevant to note that in Ext. P-38 ledger folio there is a deposit of Rs. 9 on 10-2-2005 towards interest. It is thereafter that Rs. 5000 was deposited on 23-2-2005. But in Ext. P-39 pass book interest of Rs. 9 is not seen credited. The next entry of deposit of Rs. 5,000/- alone is shown. Thus the worker had misappropriated the money of Rs. 5,000 entrusted by Aysha and later remitted it into her account. But according to the workman Smt. Aysha had approached him on 22-2-2005 for remitting Rs. 5000 in her account. But she reached the bank after the business hours. Hence the amount could not be credited on that day, but was credited on the next day. But Ext. P-7 complaint of Aysha shows that she had been to bank on 7-1-2005 and entrusted money and pass book to the workman for remittance into her account. After a few days she had visited the bank again and came to know that the amount she had entrusted to the workman was remitted in her account only after 1½ months. Besides the discrepancy in the pass book also supports the charge.

In the light of the evidence discussed above I find no ground to interfere with the findings of Enquiry Officer.

14. Point No. 2 :—The punishment imposed is dismissal from service. According to the workman the punishment is disproportionate to the charges. He claims that he has an unblemished past service of 23 years. He belongs to a poor family and he is the sole earning member of the family. His wife is unemployed. He has two children. There is no alternate employment. He is aged 43 and cannot get another employment. These aspects were duly considered by the disciplinary authority as well as the appellate authority. But the misconduct committed by the workman is serious in nature. The bank lost faith in the employee. In such a situation he cannot be entrusted with any work in a banking institution which deals with public money. The trust and faith of the customers is of paramount importance to a bank. If that is undermined by the conduct of a bank employee the business of the bank will be affected. Considering the gravity of the charges I don't think that the mitigating circumstances mentioned by the workman is a reason to reduce the punishment.

15. In the result an award is passed finding that the action of the management in imposing the punishment of dismissal of Sri. M. P. Ravindran from service of the bank is legal and justified and he is not entitled for any relief.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 8th day of October, 2009.

P. L. NORBERT, Presiding Officer

Appendix

Witness for the Workman

Nil

Witness for the Management

MW1 - 18-11-2008 - P. M. Damodaran

Exhibits for the Workman

Exhibits for the Management

M1 - Enquiry File.

नई दिल्ली, 6 नवम्बर, 2009

का. आ. 3293.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ौदा के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, अहमदाबाद के पंचाट (संदर्भ संख्या 666/2008 दिनांक 18-8-2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-10-2009 को प्राप्त हुआ था।

[सं. एल-12011/66/2003-आई आर (बी-II)]

उदय शंकर पाण्डेय, अनुभाग अधिकारी

New Delhi, the 6th November, 2009

S.O. 3293.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 666/2008 dt. 18-8-2003) of the Industrial Tribunal Ahmedabad now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 28-10-2009.

[No. L-12011/66/2003-IR (B-II)]

U. S. PANDEY, Section Officer

ANNEXURE

**BEFORE THE HON'BLE INDUSTRIAL TRIBUNAL,
AHMEDABAD**

Ref. (ITC) No. 666/2008

Bank of BarodaFirst Party

V/s.

Workmen Employed under it ... Second Party

This reference had been referred by the Government of India, Ministry of Labour, New Delhi vide its Order No. L-12011/66/2003-IR(B-II) dated 18th August, 2008 to the Presiding Officer, Industrial Tribunal, Vadodara. Thenafter, it was transferred to Central Government Industrial-cum-Labour Court, Baroda and subsequently it was transferred to this Tribunal by appropriate order.

2. Before proceedings of this reference takes place, the parties have submitted application for taking this matter on Board on 11-9-2009 vide Exh-9. This is a reference of three workmen. Out of them, Shri Pareshkumar Gopalbhai Patel, submitted withdrawal pursis on 11-9-2009 vide Exh-10.

In view of the said pursis, I pass the following Part-I Award as under :

PART-I AWARD

Workman Shri Pareshkumar Gopalbhai Patel is permitted to withdraw this reference and for remaining two workmen viz. Shri Nareshkumar Bhagubhai Patel and Shri Nareshkumar Ramubhai Ahir, the proceedings of this

reference will take place on 25-11-2009.

No order as to costs.

K. K. PANDYA, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2009

का.आ. 3294.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डब्ल्यू.सी. एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 46/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-11-2009 को प्राप्त हुआ था।

[सं. एल-22012/153/2000-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 9th November, 2009

S.O. 3294.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 46/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of WCL and their workman, which was received by the Central Government on 9-11-2009.

[No. L-22012/153/2000-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI A. N. YADAV, PRESIDING
OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/46/2001

Date: 30-10-2009

**Petitioner/
Party No. 1** : The President,
R.K.K.M.S. (INTUC)
P.O. Chandematta,
Dist. Chhindwara

Verses

**Respondent/
Party No. 2** : The Chief General Manager,
Western Coalfields Ltd.,
Kanhana Area Post. Dungaria,
Dist. Chhindwara

AWARD

(Dated 30th October, 2009)

1. Central Government after satisfying the existence of dispute between the President, R.K.K.M.S. (INTUC) P.O. Chandematta, Dist. Chhindwara (Party No. 1) and the Chief General Manager, Western Coalfields Ltd., Kanhana Area Post. Dungaria, Dist. Chhindwara (Party No. 2) referred the same for adjudication to this Tribunal vide its letter No. L-22012/153/2000-IR (C-II) dated 25-1-2001 under clause (d) of sub Section (1) and sub Section (2A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule :

2. "Whether the action of the management of Nandan Coal Washery of WCL, Kanhan Area, in not correcting the date of birth of Sh. Parasram S/o Sh. Faddoo, Sub-Station Attendant of Nandan Coal Washery of WCL, Kanhan Area as 12-10-1953 instead of 1-10-1950 is justified? If not, to what relief the workman is entitled?"

3. The Petitioner, the President, R.K.K.M.S. (INTUC) P.O. Chandematta, Dist. Chhindwara approached to this Tribunal with the issue of correcting date of birth of its member namely Shri Parashram Bhaddoo. However, the Union is not appearing before the court and is not prosecuting the reference. Before this Court the Petitioner is prosecuting it though his counsel independently and not through the Union. According to the Petitioner Shri Parashram Bhaddoo, the management has wrongly entered his date of birth as 1-10-1950 and issued a notice of retirement from the service by the end of the month i.e. on 31-12-2009. The management has wrongly mentioned the above date though he had stated his date of birth as 12-10-1953. On receipt of the copy of service excerpt he made a representation to the management but the issue of correction of his date of birth was not considered as yet and the issue was raised by the Union, R.K.K.M.S. (INTUC) Chandametta long back by its letter dt.25-3-99. However, the management being rigid did not even attend the conciliation proceeding before ALC and did not correct his date of birth. According to him, the management has wrongly mentioned his date of birth as 1-10-1950 in Form-B as well as in Service Excerpt. He had produced primary school certificate dt.1-5-67 showing his date of birth as 12-10-53 then middle passed certificate of Hausangabad division in the month of May 1971. A certificate of Principal of Higher Secondary School, Damua and the transfer certificate issued by the Principal. All these certificates are showing his date of birth as 12-10-53. He was appointed on 25-8-73 on which in Form-B Register his date of birth is wrongly recorded as 1-10-50. The applicant immediately objected recording of his date of birth and therefore his case was referred to headquarter of Western Coalfields Ltd. The management despite referring it to the head office and putting a note about correcting the date did not proceed further. It had admitted that the workman has objected recording of date of birth on the basis of the middle class certificate and informed to the Petitioner that the matter has been referred to the headquarter for the approval for correcting his date of birth. According to him, it was necessary under the provision of 1.1 No.76 of NCWA-III to correct his date of birth. The management is under obligation to admit the cards issued by the University Board, Middle passed certificate of the Board of Education or the department of public institution and that such certificate should be treated as correct in respect of date of birth, if they are issued by the above institution prior to the date of entry in the service. According to him, he was employed on 25-8-1973 and he had submitted the date of birth certificate i.e. middle passed certificate and primary school certificate dt. May, 1971 and 1-5-1967 respectively. As date of birth is not till corrected, he has

raised this dispute with the request to hold that action of the management in not correcting his date of birth is illegal, not justified and direct the management to correct his date of birth on the basis of middle passed certificate as per provision of National Coal Wages Agreement-III.

4. The management by filing its Written Statement resisted the claim of Petitioner. According to it, the Petitioner was appointed at Damua Colliery for the first time on 25-8-73. As per statutory requirement he was asked to fill up the Form-B as per mine rules. The Petitioner recorded the particulars in Form-B at Sl.No.436 and he has clearly mentioned his age as 26 years as on 1976 and accordingly his date of birth was recorded as 1-1-1950. As per rules spelled out in 1-1-76 of NCWA-III, since it was signed by him in token of acceptance who was claiming as literate person, he is not entitled to challenge the same after a long period of 26 years. He has repeated the same date of birth in the year 1984 while joining at Nandan Washery Colliery which is another sister unit of Western Coalfields Ltd. His age was recorded as 34 years as on 1-1-84 which support that his date of birth was 1-1-50. It is also signed by the Petitioner and accepted it. The Form-B is also showing the same date of birth and applicant has not disputed it on two occasions and therefore there is no controversy in the date of birth. Special procedure is framed for changing the date of birth called as implementation as instruction No.76. According to the management the service excerpt Form-B and the other record is duly signed and accepted by the Petitioner and as there is no variation in the record the provision of 1-1-76 of NCWA-III is not applicable to it and it cannot be reopened. Finally it has prayed to reject the claim of Petitioner by passing negative Award.

5. Heard the counsels for he parties, perused the documents it seems that the petitioner was appointed on 25-8-1973 as Loader his name was sponsored by the employment exchange after interview. Undisputedly he had passed 10th standard and he was appointed. At time of appointment he has signed the form "B" wherein his date of birth was written as 1-10-1950. and again at the time of his appointment as Electric operator-Cum-Fitter on 27-03-1984 he was required to sign the Form "B" and at that time also his date of birth is mentioned as 1-10-50. Pointing these documents the counsel for management submitted that he signed it in token of the acceptance of the correctness and his certificates filed before the Court are bogus. However the petitioner was, no doubt literate, but the explanation given by him that only his signatures were obtained on blank forms on the both occasions. Generally at the time of new appointment any person signs it hurriedly under the impression that what is mentioned by the experienced Clerk is correct. I do not think that there are any reasons to doubt creditability of the petitioner's evidence.

6. It is submitted on behalf of the managements that the Petitioner kept silence till he received the notice of

retirement and now he is making hurry by filing the application for correcting his date of birth but his fact is not correct because he has raised the issue requesting to correct his date of birth as 12-10-1953 right from the year 1999 and earlier to it. He has raised the issue of correcting his date of birth which was wrongly mentioned as 1-10-1953 under his letter 7-12-1999 and 25-3-1999. However, the management did not appear even before ALC in cancellation proceeding. The report of the ALC indicates that the management did not attend the meeting and even cooperated the petitioner or proceeding before him. Therefore, the dispute was not solved and the reference was made to this Tribunal. However, his report shows that the submissions of the petitioner were correct on the basis of document submitted by him. The Petitioner has submitted the documents like Primary School Certificate, Middle Class Passed Certificate of Haushangabad Board, Certificate from the Principal of Higher Secondary School, Damua, again the transfer certificate issued by the Principal. All these certificates are supporting i.e. date of birth is 12-10-1953. The Primary School Certificate is dated 1-5-1967 which is issued even before his appointment because his first appointment was as a Loader in the year 1973. He has based his representation for correcting the date of birth on the basis of passing 8th Class i.e. Middle School Passed Certificate. Since the certificate is of the date earlier to his appointment it carries a sufficient weight and even in the representation also he has mentioned to correct his date of birth as 12-10-1953 in place of 1-10-1950. It seems that the Petitioner is requesting the management by various letters right from the year 1987 but the management did not care to correct his date of birth and it has never decided his representation.

7. The provision laid down in Para-1.1 No. 76 of the NCWA-III the sanctity of the certificates issued from the university, board and institution prior to the appointment is recognized. Here the petitioner has filed two certificates which are prior to his appointment. The originals are already submitted to the management and he has produced Xerox and attested copies of them. They are showing his date of birth as 12-10-1953. They support his claim. Earlier to it on his transfer to Damua Colliery he had applied to the management for correction of the date and he had objected recording the date of birth as 1-10-1950. However, his representation was not attended. It appears that the provision of NCWA-III as mentioned above, are making it obligatory on the management to correct the date of birth on the basis of certificate issued by university, board and institute. The same certificates were submitted by him but the management for the reason best known to it, has not taken any action.

8. The counsel for the management mostly harping on the Form-B signed by the petitioner by saying that he has accepted the date of birth but this cannot be a case of the petitioner or the management because he was resisting

and requesting to correct his date of birth right from the date when he came to know after going through the service excerpt. No doubt, the petitioner has signed Form-B he had explained as mentioned above and it is under challenged since 1999. In my view the case of the Petitioner covers under the provision of I-1-76 of NCWA-III and the management ought to have consider its request affirmatively. There is a sufficient record and certificates disclosing his date of birth as 12-10-1953 and it ought to have corrected by the management. Since it has failed it will be proper to issue direction to the management to correct it. Consequently the action of the management in not correcting the date of birth and directing him to retire treating his date of birth as 1-10-1950 is illegal. The management is directed to correct the date of birth of the Petitioner from 1-10-1950 to 12-10-1953 and retire him considering his date of birth as 12-10-1953 only. He should be continued till that period on the same post. Hence I pass this affirmative award.

A. N. YADAV, Presiding Officer

नई दिल्ली, 9 नवम्बर, 2009

क.अ. 3295.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 दिसम्बर, 2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी हैं) अध्याय-5 और 6 [धारा-76 की उपधारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त हो चुकी हैं] के उपबंध आन्ध्र प्रदेश राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :-

“आन्ध्र प्रदेश राज्य के रंगारेड्डी जिले के इब्राहिमपट्टणम मण्डल में स्थित इब्राहिमपट्टणम नगर, शेरगूडा, चितलपल्ली, मंगलपल्ली, पटेलगूडा, बोंगलूरु एवं आदिबट्ला राजस्व गांव के सीमा के अन्तर्गत आने वाले सभी क्षेत्र।”

[सं. एस-38013/46/2009-एस.एस.-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 9th November, 2009

S.O. 3295.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st December, 2009 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Andhra Pradesh namely:-

“All the areas falling within the limits of revenue villages of Ibrahimpatnam Town, Sherguda, Chintalpally, Mangalpally, Patelguda, Bonguluru and Adibatla in Ibrahimpatnam mandal of Ranga Reddy district of Andhra Pradesh.”

[No. S-38013/46/2009-S.S. 1]

S. D. XAVIER, Under Secy.

नई दिल्ली, 10 नवम्बर, 2009

नई दिल्ली, 10 नवम्बर, 2009

का.आ. 3296.—जबकि मैसर्स एस्कोर्ट्स हार्ट इंस्टिट्यूट एण्ड रिसर्च सेन्टर लि. [दिल्ली (दक्षिण) क्षेत्र में कोड संख्या डी.एल/13644 के अंतर्गत] (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उप-धारा (1) के खण्ड (क) के अंतर्गत छूट के लिए आवेदन दिया है।

2. और जबकि, केन्द्र सरकार के विचार में अंशदान दर के मामले में उक्त प्रतिष्ठान के भविष्य निधि के नियम उसके कर्मचारियों के लिए उक्त अधिनियम की धारा 6 में विनिर्दिष्ट की तुलना में कम हितकर नहीं है और कर्मचारी भी समान प्रकृति के किसी अन्य प्रतिष्ठान के कर्मचारियों के संबंध में उक्त अधिनियम या कर्मचारी भविष्य निधि योजना, 1952 (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) के अंतर्गत अन्य भविष्य निधि लाभ भी प्राप्त कर रहे हैं।

3. केन्द्र सरकार एतद्वारा, अब उक्त अधिनियम की धारा 17 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में समय-समय पर विनिर्दिष्ट शर्तों को ध्यान में रखते हुए, उक्त प्रतिष्ठान को उक्त योजना के समस्त उपबंधों के प्रचालन से 18-09-1991 से अगली अधिसूचना तक के लिए छूट प्रदान करती है।

[सं. एस-35015/1/2009-एस.एस- II]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 10th November, 2009

S.O. 3296.—Whereas M/s. Escorts Heart Institute and Research Centre Ltd. [under Code No. DL/13644 in Delhi (South) Region] (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby, exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 18-09-1991 until further notification.

[No. S-35015/1/2009-SS-II]

S. D. XAVIER, Under Secy.

का.आ. 3297.—जबकि मैसर्स करम चन्द थापर एण्ड ब्रादर्स [कोल सेल्स] लि. [कोलकाता क्षेत्र में कोड संख्या डब्ल्यूबी/8219 के अंतर्गत] (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उप-धारा (1) के खण्ड (क) के अंतर्गत छूट के लिए आवेदन दिया है।

2. और जबकि, केन्द्र सरकार के विचार में अंशदान दर के मामले में उक्त प्रतिष्ठान के भविष्य निधि के नियम उसके कर्मचारियों के लिए उक्त अधिनियम की धारा 6 में विनिर्दिष्ट की तुलना में कम हितकर नहीं है और कर्मचारी भी समान प्रकृति के किसी अन्य प्रतिष्ठान के कर्मचारियों के संबंध में उक्त अधिनियम या कर्मचारी भविष्य निधि योजना, 1952 (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) के अंतर्गत अन्य भविष्य निधि लाभ भी प्राप्त कर रहे हैं।

3. केन्द्र सरकार एतद्वारा, अब उक्त अधिनियम की धारा 17 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में समय-समय पर विनिर्दिष्ट शर्तों को ध्यान में रखते हुए, उक्त प्रतिष्ठान को उक्त योजना के समस्त उपबंधों के प्रचालन से 01-05-1962 से अगली अधिसूचना तक के लिए छूट प्रदान करती है।

[सं. एस-35015/34/2009-एस.एस- II]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 10th November, 2009

S.O. 3297.—Whereas M/s. Karam Chand Thapar & Bros. [Coal Sales] Ltd. [under Code No. WB/8219 in Kolkata Region] (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby, exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 01-05-1962 until further notification.

[No. S-35015/34/2009-SS-II]

S. D. XAVIER, Under Secy.

नई दिल्ली, 10 नवम्बर, 2009

का.आ. 3298.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 79/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2009 को प्राप्त हुआ था।

[सं. एल-42012/33/2006-आई आर (डी यू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 10th November, 2009

S.O. 3298.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 79/2006) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, New Delhi, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of C. P. W. D. and their workman, which was received by the Central Government on 10-11-2009.

[No. L-42012/33/2006-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT No. 1, NEW
DELHI, KARKARDOOMA COURT COMPLEX
DELHI**

I. D. No. 79/2006

Shri Girish Chand, Beldar through All India CPWD
(MRM) Karamchari Sangathan,
House No. 4823, Gali No. 13,
Balbir Nagar Extension,
Shahdara, New Delhi—110032 Workman

Versus

1. The Superintending Engineer,
Coord. Circle (Elect.)
CPWD, East Block,
R. K. Puram, New Delhi.
2. The Executive Engineer, 'P' Division,
CPWD, Enquiry Complex, Andrews Ganj,
New Delhi. Management

AWARD

1. Girish Chand joined services with CPWD as Beldar w.e.f. 14-6-84. He rendered continuous service of 240 days and his services were regularized in the post of Beldar w.e.f. 25-4-95. He claimed regularization of his services from the date of his initial employment. When his demand

was not accepted by the management, he raised an industrial dispute before the Conciliation Officer. Since conciliation proceedings came to an end, the appropriate Government referred the dispute to this Tribunal for adjudication, vide Order No. L-42012/33/2006-IR(DU), New Delhi, dated 09-10-2006 with following terms:

"Whether the demand of All India CPWD (M.R.M.) Karamchari Sangathan for regularization of service of Shri Girish Chand, Beldar, w.e.f. 14-6-1984 is legal and justified? If yes, to what relief the workman concerned is entitled to?"

2. Claim Statement was filed on behalf of workman, pleading therein that he was employed as daily rated workman w.e.f. 14-6-84 on muster roll as Beldar. It was projected that his services were regularized w.e.f. 25-4-95. He rendered 240 days continuous service with the management from the date of his employment till the date of his regularization. There are three wings under CPWD viz. Electrical, Civil and Horticulture, where several daily rated workmen are employed by the management. The Apex Court in Surinder Singh's case [1986(1) SCC 639] gave a command to the management to regularize services of its daily rated workmen, from the date of their initial employment, who have put in six months of continuous service. Accordingly Director General (Works), CPWD issued order dated 25-8-88 for regularization of muster roll employees. Horticulture wing of the management regularized service of its daily rated workmen by 7-12-88, while Electrical and Civil wings did not take any action in this behalf. The workman is covered under the provisions of the Payment of Gratuity Act, 1972 (in short the Act) and orders were issued in that regard by the management on 26-6-2006. Ram Khilari, a similarly situated workman, raised an industrial dispute and Industrial Tribunal, Government of NCT, Delhi, gave an award for regularization of his services from the date of his initial employment. Workman is eligible for regularization of services from the date of his initial employment. It has been claimed that the management may be commanded to regularize his services from the date of his initial employment.

3. Contest was given to the claim statement pleading therein that the workman was working on muster roll with the management and his services were regularized from the date mentioned by him in the claim statement. His contention that he is eligible for regularization of his services from the date of his initial engagement, is false. The Apex Court in Surinder Singh's case (supra) never directed the management to regularize services of muster roll employees from the date of their initial employment. In compliance of the order handed down by the Apex Court, 8982 posts were created in September, 1992 and thereafter all workers were regularized in services from prospective dates and not from the date of their initial engagement in various precedent Apex Court ruled that employees selected on daily wages nowhere automatically become regular from

the date of their initial employment, even if they perform duties similar to the regular employees. The workman cannot claim regularization from the back date. When vacancy was available for him, his services were regularized. It has been projected that his claim for regularization from the date of his initial employment is false.

4. During the course of adjudication, Shri Satish Kumar Sharma, General Secretary of All India CPWD (M.R.M.) Karamchari Sangathan, who was authorized representative of the workman, made a statement on his behalf that the workman does not press his claim for regularization in the services from the date of his initial employment. Consequently, it is evident that the workman gave up the contest of his demand for regularization of his services from the date of his initial employment.

5. Circular No. 29/77/2000-ECX, New Delhi, dated 26-6-2006 was issued by the Director General (Works), CPWD, in respect of payment of gratuity to its casual, hand receipt and muster roll workers under the Act. The said circular makes it clear that the matter was examined in consultation with the Ministry of Urban Development and Ministry of Labour and it was clarified that the Act is applicable to casual, muster roll, hand receipt and daily rated workers of the CPWD. Consequently, all ADVs, CS, SCS, S. C. Coordination, Executive Engineer, Directorate of Horticulture, Additional Directorate of Horticulture, Deputy Director of Horticulture, All Deputy Welfare Labour Commissioners and Assistant Labour Welfare Commissioners were requested to make payment of gratuity to casual muster roll, hand receipt and daily rated workers of CPWD as admissible under the Act. It was further mentioned therein that the current/pending court cases on the similar issue may be defended or got settled accordingly. Therefore, it is evident that the management admits the claim of all casual muster roll, hand receipt or daily rated workers of the CPWD for payment of gratuity under the Act.

6. Whether service rendered by workman, which was paid from contingency, can be counted towards pension? For an answer, provisions of CCS Pension Rules, 1972 (in short the Rules) are to be considered. Rule 14 of the said Rule makes provisions in that regard. It emerges out of the provisions of Rule 14 that periods of service paid from contingencies do not count as qualifying service for pension. However, Govt. of India took a decision in May, 1968 and an office memorandum was issued on 14-5-1968, wherein it is detailed that in some cases, employees paid from contingencies, employed in types of work requiring service of whole-time workers and are paid on monthly rates of pay or daily rates computed and paid on monthly basis and on being found fit brought on to regular establishment. The question whether in such cases

service paid from contingencies should be allowed to count for pension and if so to what extent has been considered in the National Council and in pursuance of the recommendation of the Council, it has been decided that half the service paid from contingencies will be allowed to count towards pension at the time of absorption in regular employment subject to the following conditions, viz.—

(a) Service paid from contingencies should have been, in a job involving whole-time employment (and not part-time for a portion of the day).

(b) Service paid from contingencies should be in a type of work or job for which regular posts could have been sanctioned, e.g. malis, chowkidars, khalasis, etc.

(c) The service should have been one for which the payment is made either on monthly or daily rates computed and paid on a monthly basis and which though not analogous to the regular scale of pay should bear some relation in the matter of pay to those being paid for similar jobs being performed by staffs in regular establishments.

(d) The service paid from contingencies should have been continuous and followed by absorption in regular employment without a break.

(e) Subject to the above conditions being fulfilled, the weightage for past service paid from contingencies will be limited to the period after 1st January, 1961 for which authentic records of service may be available. Reference can be made to office memorandum No. G.I. M.F., O.M. No. 12(I)-EV/68, dated the 14th May, 1968.

7. Here in this case it is not a matter of dispute that the workman, who was paid from contingencies, was performing whole time job with the management since 14-6-1984. His services were regularized on 25-4-95. He performed functions analogous to regular employees till the date of his regularization. His services with the management were continuous without any break. He satisfied all the conditions laid down in the aforesaid office memorandum issued by the Govt. of India. Hence, the management is under an obligation to comply the said office memorandum and count service of the workman for the purpose of pension.

8. In view of the fact that contest was given up by workman for regularisation of his services from the date of initial employment and the management is under an obligation to comply the aforesaid circular and the Rules, it is expedient to command the management to record services rendered by Girish Chand as muster roll employee in his service book, which services would be taken into account for payment of gratuity under the Act, at the time of his superannuation or death, as the contingency arise as well as for calculation of qualifying service for pension under

the Pension Rules 1972. An award is accordingly passed. It may be sent to the appropriate Government for publication.

Dated: 4-11-2009

Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 10 नवम्बर, 2009

का.आ. 3299.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डी. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, नई दिल्ली के पंचाट (संदर्भ सं. 82/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2009 को प्राप्त हुआ था।

[सं. एल-42011/32/2006-आई आर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 10th November, 2009

S.O. 3299.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 82/2006) of the Central Government Industrial Tribunal cum Labour Court, No. I, New Delhi as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of C.P.W.D. and their workman, which was received by the Central Government on 10-11-2009.

[No. L-42011/32/2006-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE DR. R. K. YADAV, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. I,
NEW DELHI, KARKARDOOMA COURT
COMPLEX DELHI**

I. D. No. 82/2006

Shri Amar Singh, Beldar through
The General-Secretary, All-India CPWD
(MRM) Karamchari Sangathan,
House No. 4823, Gali No. 13,
Balbir Nagar Extension, Shahdara,
New Delhi-110032

... Workman

Versus

1. The Superintending Engineer,
Coordination Circle (Elect.),
CPWD, East Block R. K. Puram,
New Delhi

....Management

AWARD

Amar Singh joined services with CPWD as Beldar w.e.f. 20-1-81. He rendered continuous service 240 days and his service were regularized in the post of Beldar w.e.f. 6-1-86. He claimed regularization of his services from the date of his initial employment. When his demand was

not accepted by the management, he raised an industrial dispute before the Conciliation Officer. Since conciliation proceedings came to an end, the appropriate Government referred the dispute to this Tribunal for adjudication, vide order No. L-42011/32/2006-IR (DU) New Delhi, dated 16-10-2006 with following terms:

“Whether the demand of the All India CPWD (M.R.M.) Karamchari Sangathan for regularization of services of Shri Amar Singh, Beldar, from the date of his initial appointment on muster roll is legal and justified? If yes, to what relief the workman is entitled to and from which date?”

2. Claim statement was filed on behalf of the workman, pleading therein that he was employed as daily rated workman w.e.f. 20-1-81 on muster roll as Beldar. It was projected that his services were regularized w.e.f. 6-1-86. He rendered 240 days continuous service with the management from the date of his employment till the date of his regularization. There are three wings under CPWD viz. Electrical, Civil and Horticulture, where several daily rated workmen are employed by the management. The Apex Court in Surinder Singh's case [1986(1) SCC 639] gave a command to the management to regularize services of its daily rated workmen, from the date of their initial employment, who have put in six months of continuous service. Accordingly Director General (Works), CPWD issued order dated 25-8-88 for regularization of muster roll employees. Horticulture wing of the management regularized service of its daily rated workmen by 7-12-88 while Electrical and Civil wings did not any action in his behalf. The workman is covered under the provisions of the Payment of Gratuity Act, 1972 (in short the Act) and orders were issued in that regard by the management on 26-6-2006. Ram Khilari a similarly situated workman, raised an industrial dispute and Industrial Tribunal, Government of NCT, Delhi, gave an award for regularization of his services from the date of his initial employment. Workman is eligible for regularization of services from the date of his initial employment. It has been claimed that the management may be commanded to regularize his services from the date of his initial employment.

3. Contest was given to the claim statement pleading therein that the workman was working on muster roll with the management and his services were regularized from the date mentioned by him in the claim statement. His contention that he is eligible for regularization of his services from the date of his initial engagement, is false. The Apex Court in Surinder Singh's case (*supra*) never directed the management to regularize services of muster roll employees from the date of their initial employment. In compliance of the order handed down by the Apex Court, 8982 posts were created in September, 92 and thereafter all workers were regularized in services from prospective dates

and not from the date of their initial engagement. In various precedents Apex Court ruled that employees selected on daily wages nowhere automatically become regular from the date of their initial employment, even if they perform duties similar to the regular employees. The workman cannot claim regularization from back date. When vacancy was available for him, his services were regularized. It has been projected that his claim for regularization from the date of his initial employment is false.

4. During the course of adjudication, Shri Satish Kumar Sharma, General Secretary, of All India CPWD (M.R.M.) Karamchari Sangathan, who was authorized representative of the workman, made a statement on his behalf that the workman does not press his claim for regularization in the services from the date of his initial employment. Consequently, it is evident that the workman gave up the contest of his demand for regularization of his services from the date of his initial employment.

5. Circular No. 29/77/2000-ECX, New Delhi, dated 26-6-2006 was issued by the Director General (Works), in CPWD, in respect of payment of gratuity to its casual, hand receipt and muster roll workers under the Act. The said circular makes it clear that the matter was examined in consultation with the Ministry of Urban Development and Ministry of Labour and it was clarified that the Act is applicable to casual, muster roll, hand receipt and daily rated workers of the CPWD. Consequently all ADVs, CS, SCS, S.C. Coordination, Executive Engineer, Directorate of Horticulture, Additional Directorate of Horticulture, Deputy Director of Horticulture, All Deputy Welfare Labour Commissioners and Assistant Labour Welfare Commissioners were requested to make payment of gratuity to casual muster roll, hand receipt and daily rated workers of CPWD as admissible under the Act. It was further mentioned therein that the current/pending court cases on the similar issue may be defended or got settled accordingly. Therefore, it is evident that the management admits the claim of all casual muster roll, hand receipt or daily rated workers of the CPWD for payment of gratuity under the Act.

6. Whether service rendered by the workman, which was paid from contingency, can be counted towards pension? For an answer, provisions of CCS Pension Rules, 1972 (in short the Rules) are to be considered. Rule 14 of the said Rules makes provision in that regard. It emerges out of the provisions of Rule 14 that periods of service paid from contingencies do not count as qualifying service for pension. However Government of India took a decision in May, 1968 and an office memorandum was issued on 14-5-1968, wherein it is detailed that in some cases, employees paid from contingencies, employed in types of work requiring services of whole-time workers and are paid on monthly rates of pay or daily rates

computed and paid on monthly basis and on being found fit brought on to regular establishment. The question whether in such cases service paid from contingencies should be allowed to count for pension and if so to what extent has been considered in the National Council and in pursuance of the recommendation of the Council, it has been decided that half the service paid from contingencies will be allowed to count toward pension at the time of absorption in regular employment subject to the following conditions, viz :—

- (a) Service paid from contingencies should have been, in a job involving whole-time employment (and not part-time for a portion of the day).
- (b) Service paid from contingencies should be in a type of work or job for which regular posts could have been sanctioned, e.g., malis, chowkidars, khalasis, etc.
- (c) The service should have been one for which the payment is made either on monthly or daily rates computed and paid on a monthly basis and which though not analogous to the regular scale of pay should bear some relation in the matter of pay to those being paid for similar jobs being performed by staffs in regular establishments.
- (d) The service paid from contingencies should have been continuous and followed by absorption in regular employment without a break.
- (e) Subject to the above conditions being fulfilled, the weightage for past service paid from contingencies will be limited to the period after 1st January, 1961 for which authentic records of service may be available. Reference can be made to office memorandum No. G.I., M. F., O. M. No. 12(1)-EV/68, dated the 14th May, 1968.

7. Here in this case it is not a matter of dispute that the workman, who was paid from contingencies, was performing whole time job with the management since 20-1-81. His services were regularized on 6-1-86. He performed functions analogous to regular employees till the date of his regularization. His services with the management were continuous without any break. He satisfied all the conditions laid down in the aforesaid office memorandum issued by the Government of India. Hence the management is under an obligation to comply the said office memorandum and count service of the workman for the purpose of pension.

8. In view of the fact that contest was given up by the workman for regularisation of his services from the date of initial employment and the management is under an obligation to comply the aforesaid circular and the Rules, it is expedient to command the management to record services rendered by Amar Singh as muster roll employee in his service book, which services would be taken into

account for payment of gratuity under the Act, at the time of his superannuation or death, as the contingency arise as well as for calculation of qualifying service for pension under the Pension Rules, 1972. An award is accordingly passed. It may be sent to the appropriate Government for publication.

Dated : 4-11-2009 Dr. R. K. YADAV, Presiding Officer
नई दिल्ली, 10 नवम्बर, 2009

का.आ. 3300.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़, के पंचाट (संदर्भ सं. 66/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2009 को प्राप्त हुआ था।

[सं. एल-22012/33/1997-आईआर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 10th November, 2009

S.O. 3300.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 66/98) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 10-11-2009.

[No. L-22012/33/1997-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA-
PRESIDING OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
NO. 1, CHANDIGARH**

Case I. D. No. 66 of 98

Sh. Naresh Kumar C/o Sh. Ram Mehar Singh
S/o Sh. Suraj Mal R/o No. 1652, Urban Estate,
Jind-126102

Versus

The Distt. Manager, Food Corporation of India, Rohtak.

APPEARANCES

For the workman : None.

For the management : Sh. Parmod Jain

AWARD

Passed on 5-11-2009

The Government of India, Ministry of Labour, vide notification No. L-22012/33/97-IR (C-II) dated 11th March,

1998, by exercising its powers under Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act), referred the following industrial dispute for adjudication to this Tribunal;

"Whether there existed employer-employee relationship Between Sh. Naresh Kumar Watchman and the Management of FCI? If yes, whether the termination of services of Sh. Naresh Kumar w.e.f. 18-12-95 is legal and justified? If not, to what relief is he entitled?"

2. Case repeatedly called, None appeared for the workman despite notice it is already 1 P.M. If appears that workman is not interested to pursue his case. In view of the above as none is appearing on behalf of the workman nor the workman is present, I have no option but to return the reference for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh
5-11-09

G. K. SHARMA, Presiding Officer

नई दिल्ली, 10 नवम्बर, 2009

का.आ. 3301.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार अधिकरण नं. 1, चण्डीगढ़, के पंचाट (संदर्भ सं. 64/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2009 को प्राप्त हुआ था।

[सं. एल-22012/34/1997-आईआर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 10th November, 2009

S.O. 3301.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 64/98) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 10-11-2009.

[No. L-22012/34/1997-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
NO. 1, CHANDIGARH**
Case I. D. No. 64 of 98

Sh. Jai Bhagwan C/o Sh. Ram Mehar Singh
S/o Sh. Suraj Mal
R/o No. 1652, Urban Estate,
Jind.

Versus

The Distt. Manager, Food Corporation of India, Rohtak.

APPEARANCES

For the workman : None.

For the management : Sh. Parmod Jain

AWARD

Passed on 5-11-2009

Government of India, Ministry of Labour, *vide* notification No. L-22012/34/97-IR (C-II) dated 11th March, 1998, by exercising its powers under Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act), referred the following industrial dispute for adjudication to this Tribunal;

"Whether there existed employer-employee relationship Between Sh. Jai Bhagwan Watchman and the management of FCI? If yes, whether the termination of services of Sh. Jai Bhagwan w.e.f. 18-12-95 is legal and justified? If not, to what relief is he entitled?"

2. Case repeatedly called, None appeared for the workman despite notice it is already 1 P.M. If appears that workman is not interested to pursue his case. In view of the above as none is appearing on behalf of the workman nor the workman is present, I have no option but to return the reference for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh
5-11-09

G. K. SHARMA, Presiding Officer

नई दिल्ली, 10 नवम्बर, 2009

क्र.आ. 3302.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. के प्रबंधकों के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार अधिकरण नं. 1 चण्डीगढ़, के पंचट (संघर्ष सं. 68/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2009 को प्राप्त हुआ था।

[सं. एल-22012/31/1997-आईआर (सी-11)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 10th November, 2009

S.O. 3302.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 68/98) of the Central Government Industrial Tribunal-cum-Labour Court, No. I, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 10-11-2009.

[No. L-22012/31/1997-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRIGYANENDRA KUMAR SHARMA
PRESIDING OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
NO. I, CHANDIGARH**

Case I. D. No. 68 of 98

Sh. Shamsher C/o Sh. Ram Mehar Singh
S/o Sh. Suraj Mal R/o No. 1652, Urban Estate, Jind.

Versus

The Distt. Manager, Food Corporation of India, Rohtak.

APPEARANCES

For the workman : None.

For the management : Sh. Parmod Jain

AWARD

Passed on 5-11-2009

The Government of India, Ministry of Labour, *vide* notification No. L-22012/31/97-IR (C-II) dated 11th March, 1998, by exercising its powers under Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act), referred the following industrial dispute for adjudication to this Tribunal;

"Whether there existed employer-employee relationship Between Sh. Shamsher Watchman and the management of FCI? If yes, whether the termination of services of Sh. Shamsher w.e.f. 18-12-95 is legal and justified? If not, to what relief is he entitled?"

2. Case repeatedly called, None appeared for the workman despite notice it is already 1 P.M. If appears that workman is not interested to pursue his case. In view of the above as none is appearing on behalf of the workman nor the workman is present, I have no option but to return the reference for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh
5-11-09

G. K. SHARMA, Presiding Officer

नई दिल्ली, 10 नवम्बर, 2009

का.आ. 3303.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एफ.सी.आई. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 62/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2009 को प्राप्त हुआ था।

[सं. एल-22012/28/1997-आई. आर. (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 10th November, 2009

S.O. 3303.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 62/98) of the Central Government Industrial Tribunal-cum-Labour Court, No.-1, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 10-11-2009.

[No. L-22012/28/1997-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
NO. 1, CHANDIGARH**

Case No. I.D. 62 of 98

Sh. Jasbir Singh C/o Sh. Ram Mehar Singh
S/o Sh. Suraj Mal R/o House No. 1652,
Urban Estate, Jind. 126102

V/s.

The Distt. Manager,
Food Corporation of India,
Rohtak

APPEARANCES

For the workman : None

For the management : Sh. Parmod Jain

AWARD

Passed on 5-11-2009

The Government of India, Ministry of Labour vide notification No. L-22012/28/97/IR(C-II) dated 11th March, 1998, by exercising its powers under Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act), referred the following industrial dispute for adjudication to this Tribunal :

“Whether there existed employer-employee relationship Between Sh. Jasbir Singh Watchman and the management of FCI. If yes, whether the termination of services of Sh. Jasbir Singh w.e.f. 18-12-95 is legal and justified? If not, to what relief is he entitled?”

2. Case repeatedly called. None appeared for the workman despite notice. It is already I P.M. It appears that workman is not interested to pursue his case. In view of the above as none is appearing on behalf of the workman nor the workman is present, I have no option but to return the reference for want of prosecution. Central Government be informed. File be consigned.

Chandigarh

Dated : 5-11-09

G. K. SHARMA, Presiding Officer

नई दिल्ली, 11 नवम्बर, 2009

का.आ. 3304.—जबकि मैसर्स मैकैन एरिक्सन (इंडिया) प्रा. लि. [दिल्ली (दक्षिण) क्षेत्र में कोड संख्या डी.एल/8979 के अंतर्गत] (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उप-धारा (1) के खण्ड (क) के अंतर्गत छूट के लिए आवेदन दिया है।

2. और जबकि, केन्द्र सरकार के विचार में अंशदान दर के मामले में उक्त प्रतिष्ठान के भविष्य निधि के नियम उसके कर्मचारियों के लिए उक्त अधिनियम की धारा 6 में विनिर्दिष्ट की तुलना में कम हितकर नहीं है और कर्मचारी भी समान प्रकृति के किसी अन्य प्रतिष्ठान के कर्मचारियों के संबंध में उक्त अधिनियम या कर्मचारी भविष्य निधि योजना, 1952 (एतदुपरान्त उक्त प्रतिष्ठान के रूप में संदर्भित) के अंतर्गत अन्य भविष्य निधि लाभ भी प्राप्त कर रहे हैं।

3. केन्द्र सरकार एतद्वारा, अब उक्त अधिनियम की धारा 17 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में समय-समय पर विनिर्दिष्ट शर्तों का ध्यान में रखते हुए, उक्त प्रतिष्ठान को उक्त योजना के समस्त उपबंधों के प्रचालन से 01-03-1989 से अगली अधिसूचना तक के लिए छूट प्रदान करती है।

[सं. एस-35015/30/2009-एस.एस- II)]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 11th November, 2009

S.O. 3304.—Whereas M/s. Mc CANN Erickson (India) Pvt. Ltd. [under Code No. DL/8979 in Delhi (South) Region] (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby, exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 1-3-1989 until further notification.

[No. S-35015/30/2009-SS-II]

S. D. XAVIER, Under Secy.

नई दिल्ली, 11 नवम्बर, 2009

का.आ. 3305.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.पी.डब्ल्यू.डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 15/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-2009 को प्राप्त हुआ था।

[सं. एल-42012/29/2006-आई आर (डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 11th November, 2009

S.O. 3305.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 15/2007) of the Central Government Industrial Tribunal-cum-Labour Court, No.-1, New Delhi as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of C.P.W.D. and their workman, which was received by the Central Government on 11-11-2009.

[No. L-42012/29/2006-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE DR. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. 1, NEW
DELHI, KARKARDOOMA COURT, COMPLEX
DELHI

I.D. 15 of 2007

Sh. Bhagwan Sahai and 29 others,
through All India CPWD (MRM)
Karamchari Sangathan, House No. 4823,
Gali No. 13, Balbir Nagar Extension,
Shahdara, New Delhi-110032

...Workman

Versus

1. The Superintending Engineer,
Coord. Cercle (Elect.), CPWD,
Estate Block, R.K. Puram,
New Delhi.

2. The Executive Engineer,
'A' Division, CPWD,
I.P. Bhawan,
New Delhi.

...Management

AWARD

Shri Bhagwan Sahai S/o Shri Gyarsa joined services with CPWD as Beldar (now Carpenter) w.e.f. 7-9-79. He rendered continuous service of 240 days and his services were regularized in the post of Carpenter w.e.f. 4-3-86. S/Shri Satish Kumar S/o Hukam Charid joined as Beldar on 22-12-80 and regularized on 20-6-88. Tirpal S/o Abhay Ram joined as Beldar on 1-12-81 and regularized on 15-4-91, Raj Pal S/o Shri Kori Lal joined as Beldar on 21-4-81 and was regularized on 5-7-91, Babu Lal S/o Shri Attar Singh joined as Beldar on 9-11-82 and was regularized on 24-12-92, Shiv Kumar S/o Shri Khaderan joined as Beldar on 16-6-83 and was regularized on 16-2-93, Gangesh Chand Tiwari S/o Girdhari Lal Tiwari joined as Beldar on 2-5-82 and was regularized on 12-2-93, Bihari Lal S/o Shri Kishan Lal joined as Beldar on 22-8-83 and was regularized on 16-2-93, Mohan S/o Shri Bengali joined as Beldar on 3-12-79 and was regularized on 5-2-93, Bishamber S/o Shri Manfool joined as Beldar on 22-7-83 and was regularized on 16-2-93 Kalicharan S/o Shri Kalla joined as Beldar on 21-9-83 and was regularized on 16-2-93, Suresh Chand S/o Shri Tek Chand joined as Beldar on 25-1-86 and was regularized on 1-6-96, Ram Pal S/o Shri Nathu Ram joined as Beldar on 21-10-84 and was regularized on 10-6-93, Birpal S/o Shri Ram Singh joined as Beldar on 12-10-81 and was regularized on 1-5-91, Tejpal S/o Shri Shankar Lal joined as Beldar on 1-1-81 and was regularized on 4-7-89, Manohar Lal S/o Shri Ganesh Ram joined as Beldar on 21-9-83 and was regularized on 2-4-93, Batan Singh S/o Shri Ganga Ram joined as Beldar on 2-12-79 and was regularized on 17-6-87, Nanak Chand S/o Shri Ram Chander joined as Beldar on 1-10-79 and was regularized on 5-3-86, Smt. Shanti W/o Shri Shiv Chand joined as Beldar on 8-4-76 and was regularized on 5-1-85, Om Parkash S/o Shri Nhutam Lal joined as Beldar on 13-1-83 and was regularized on 10-12-92, Hari Singh S/o Shri Chater Singh joined as Beldar on 1-6-81 and was regularized on 18-6-91, Kanwar Pal Singh S/o Shri Kachedumal joined as Beldar on 22-3-79 and was regularized on 19-4-91, Jai Kishan S/o Shri Mangat Ram joined as Beldar

on 29-5-84 and was regularized on 21-5-93, Bhogi Ram S/o Shri Devi Ram joined as Beldar on 25-10-79 and was regularized on 18-3-86, Dayal Singh S/o Shri Mangal Singh joined as Beldar on 19-9-79 and was regularized on 1-3-86, Jagpal S/o Shri Hukam Singh joined as Beldar on 2-7-82 and was regularized on 7-1-93, Kishan Pal S/o Shri Khazan Singh joined as Beldar on 22-6-78 and was regularized on 13-5-82, Vinod Kumar S/o Mohan Lal, joined as Beldar on 23-2-82 and was regularized on 23-9-86, Chet Ram S/o Shri Murat Ram joined as Beldar on 24-6-81 and was regularized on 9-2-87, Baleshwar Mishra S/o Shri Sachinder Nath Mishra joined as Beldar on 16-6-82 and was regularized on 11-12-92. They claimed regularization of their services from the date of their initial employment. When their demand was not accepted by the management, they raised an industrial dispute before the Conciliation Officer. Since conciliation proceedings came to an end, the appropriate Government referred the dispute to this Tribunal for adjudication, vide order No. L-42012/29/2006-IR(UD) New Delhi, dated 19-2-2007 with following terms :

“Whether the demand of All India CPWD (M.R.M.) Karamchari Sangathan for regularization of services of Shri Bhagwan and 29 others, as per Annexure, from the date of their initial appointment on muster roll is legal and justified? If yes, to what relief the workmen concerned are entitled to?”

2. Claim statement was filed on behalf of the workmen, pleading therein that they were employed as daily rated workmen from the dates as mentioned in para 1 above. It was projected that their services were regularized from the dates mentioned in para 1 above. They rendered 240 days continuous service with the management from the date of their employment till the date of their regularization. There are three wings under CPWD viz. Electrical, Civil and Horticulture, where several daily rated workmen are employed by the management. The Apex Court in Surinder Singh's case (1986(1) SCC 639) gave a command to the management to regularize services of its daily rated workmen, from the date of their initial employment, who have put in six months of continuous service. Accordingly Director General (Works) CPWD issued order dated 25-8-88 for regularization of muster roll employees. Horticulture wing of the management regularized service of its daily rated workmen by 7-12-88, while Electrical and Civil wings did not take any action in this behalf. The workman is covered under the provisions of the Payment of Gratuity Act, 1972 (in short the Act) and orders were issued in that regard by the management on 26-6-2006. Ram Khilari, a similarly situated workman, raised an industrial dispute and Industrial Tribunal, Government of NCT, Delhi gave an award for regularization of his services from the date of his initial employment. Workmen are eligible for regularization of services from the date of their initial employment. It has been claimed that the management may be commanded to

regularize their services from the date of their initial employment.

3. Contest was given to the claim statement pleading therein that the workmen were working on muster roll with the management and their services were regularized from the date mentioned by them in Annexure 1 to the claim statement. Their contention that they are eligible for regularization of their services from the date of their initial engagement, is false. The Apex Court in Surinder Singh's case (*supra*) never directed the management to regularize services of muster roll employees from the date of their initial employment. In compliance of the order handed down by the Apex Court, 8982 posts were created in September, 92 and thereafter all workers were regularized in services from prospective dates and not from the date of their initial engagement in various precedents Apex Court ruled that employees selected on daily wages nowhere automatically become regular from the date of their initial employment, even if they perform duties similar to the regular employees. The workmen cannot claim regularization from the back date. When vacancies were available for them, their services were regularized. It has been projected that their claim for regularization from the date of their initial employment is false.

4. During the course of adjudication, Shri Satish Kumar Sharma, General Secretary, of All India CPWD (M.R.M.) Karamchari Sangathan, who was authorized representative of the workmen, made a statement on their behalf that the workmen does not press his claim for regularization in the services from the date of their initial employment. Consequently, it is evident that the workmen gave up the contest of their demand for regularization of their services from the date of his initial employment.

5. Circular No. 29/77/2000-ECX, New Delhi, dated 26-6-2006 was issued by the Director General (Works), CPWD, in respect of payment of gratuity to its casual, hand receipt and muster roll workers under the Act. The said circular makes it clear that the matter was examined in consultation with the Ministry of Urban Development and Ministry of Labour and it was clarified that the Act is applicable to casual, muster roll, hand receipt and daily rated workers of the CPWD. Consequently all ADVs, CS, SCS, S.C. Coordination, Executive Engineer, Director of Horticulture, Additional Director of Horticulture, Deputy Director of Horticulture, All Deputy Welfare Labour Commissioners and Assistant Labour Welfare Commissioners were requested to make payment of gratuity to casual muster roll, hand receipt and daily rated workers of CPWD as admissible under the Act. It was further mentioned therein that the current/pending court on the similar issue may be defended or got settled accordingly. Therefore, it is evident that the management admits the claim of all casual muster roll, hand receipt or daily rated workers of the CPWD for payment of gratuity under the Act.

6. Whether service rendered by the workmen, which was paid from contingency can be counted towards pension? For an answer, provisions of CCS Pension Rules 1972 (in short the Rules) are to be considered. Rule 14 of the said Rules makes provision in that regard. It emerge out of the provisions of Rule 14 that periods of service paid from contingencies do not count as qualifying service for pension. However Government of India took a decision in May, 1968 and an office memorandum was issued on 14-5-1968, wherein it is detailed that in some cases, employees paid from contingencies, employed in types of work requiring services of whole-time workers and are paid on monthly rates of pay or daily rates computed and paid on monthly basis and on being found fit brought on to regular establishment. The question whether in such cases service paid from contingencies should be allowed to count for pension and if so to what extent has been considered in the National Council and pursuance of the recommendation of the Council, it has been decided that half the service paid from contingencies will be allowed to count toward pension at the time of absorption in regular employment subject to the following conditions, viz.—

(a) Service paid from contingencies should have been, in a job involving whole-time employment (and not part-time for a portion of the day).

(b) Service paid from contingencies should be in a type of work or job for which regular posts could have been sanctioned, e.g., malis, Chowkidars, Khalasis, etc.

(c) The service should have been one for which the payment is made either on monthly or daily rates computed and paid on a monthly basis and which though not analogous to the regular scale of pay should bear some relation in the matter of pay to those being paid for similar jobs being performed by staffs in regular establishments.

(d) The service paid from contingencies should have been continuous and followed by absorption in regular employment without a break.

(e) Subject to the above conditions being fulfilled, the weightage for past service paid from contingencies will be limited to the period after 1st January, 1961 for which authentic records of service may be available. Reference can be made to office memorandum No. G.I., M.F. O.M. No. 12(1)-EV/68, dated the 14th May, 1968.

7. Here in this case it is not a matter of dispute that the workmen, who were paid from contingencies, were performing whole time job with the management since the dates mentioned in para 1 of this award. Their services were regularized on the dates mentioned in para 1 of this award. They performed functions analogous to regular

employees till the date of their regularization. Their services with the management were continuous without any break. They satisfied all the conditions laid down in the aforesaid office memorandum issued by the Government of India. Hence, the management is under an obligation to comply the said office memorandum and count service of the workmen for the purpose of pension.

8. In view of the fact that contest was given up by the workmen for regularization of their services from the date of initial employment and the management is under an obligation to comply the aforesaid circular and the Rule, if is expedient to command the management to record services rendered by Workmen as muster roll employee in their service book, which services would be taken into account for payment of gratuity under the Act, at the time of their superannuation or death, as the contingency arise as well as for calculation of qualifying service for pension under the Pension Rules, 1972. An award is accordingly passed. It may be sent to the appropriate Government for publication.

Dr. R. K. YADAV, Presiding Officer

Dated: 30-10-2009

नई दिल्ली, 11 नवम्बर, 2009

का.आ. 3306.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.पी.डब्ल्यू.डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 नई दिल्ली के पंचाट (संदर्भ संख्या 16/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-2009 को प्राप्त हुआ था।

[सं. एल-42012/28/2006-आई आर (डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 11th November, 2009

S.O. 3306.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 16/2007) of the Central Government Industrial Tribunal-cum-Labour Court, No.-1, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of C.P.W.D. and their workmen, which was received by the Central Government on 11-11-2009.

[No. L-42012/28/2006-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE DR. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT NO. 1, NEW DELHI,
KARKARDOOMA COURT COMPLEX DELHI

I.D. No. 16/2007

Sh. Mahavir Singh and five others,
through All India CPWD (MRM)
Karamchari Sangathan, House No. 4823,
Gali No. 13, Balbir Nagar Extension,
Shahdara, New Delhi-110032

...Workman

Versus

1. The Superintending Engineer,
Coord. Circle (Elect.), CPWD,
East Block, R.K. Puram,
New Delhi.

2. The Executive Engineer,
'A' Division, CPWD,
Estate Block, I.P. Bhawan,
New Delhi.

...Management

AWARD

Shri Mahavir Singh S/o Shri Phool Singh joined services with CPWD as Carpenter w.e.f. 1-1-79. He rendered continuous service of 240 days and his services were regularized as Carpenter w.e.f. 31-3-86. Shri Jeet Singh S/o Sh. Puma Singh joined services with CPWD as Plumber w.e.f. 5-6-79 and after rendering continuous service of 240 days his services were regularized w.e.f. 15-11-84. Shri Rajvir Singh S/o Shri Sita Ram joined services with CPWD as Carpenter w.e.f. 4-1-83 and after rendering services of 240 days he was regularized as Carpenter w.e.f. 20-11-92. Shri Sohan Lal S/o Shri Heera Lal joined services with CPWD as Mason w.e.f. 20-9-81 and after rendering 240 days and his services were regularized in the post of Mason w.e.f. 26-2-86. Shri Surender Singh S/o Shri Ram Kishan joined services with CPWD as Plumber w.e.f. 15-1-83 and after rendering 240 days continuous service he was regularized as Plumber w.e.f. 18-12-92 and Shri Chander Bhan S/o Shri Kishan Lal joined services with CPWD as Carpenter w.e.f. 12-10-82 and after rendering 240 days continuous service he was regularized as Carpenter w.e.f. 1-12-92. They claimed regularization of their services from the date of their initial employment. When their demand was not accepted by the management, they raised an industrial dispute before the Conciliation Officer. Since conciliation proceedings came to an end, the appropriate Government referred the dispute to this Tribunal for adjudication, vide order No. L-42012/28/2006-IR (DU) New Delhi, dated 19-2-2007 with following terms:

“Whether the demand of All India CPWD (M.R.M) Karamchari Sangathan for regularization of services of S/Shri Mahavir Singh, Jeet Singh, Rajvir Singh, Sohan Lal, Surender Singh and Chander Bhan, from the date of their initial employment on muster roll, is legal and justified? If yes, to what relief the workmen concerned are entitled to and from which date?”

2. Claim statement was filed on behalf of the workmen, pleading therein that they were employed as daily rated workmen w.e.f. the dates as mentioned in para 1 above. It was projected that their services were regularized w.e.f. the dates mentioned in para 1 above. They rendered 240 days continuous service with the management from the date of their employment till the date of their regularization. There are three wings under CPWD viz. Electrical, Civil and Horticulture, where several daily rated workmen are employed by the management. The Apex Court in Surender Singh's case [1986 (1) SCC 639] gave a command to the management to regularize services of its daily rated workmen, from the date of their initial employment, who have put in six months of continuous service. Accordingly Director General (Works) CPWD issued order dated 25-8-88 for regularization of muster roll employees. Horticulture wing of the management regularized service of its daily rated workmen by 7-12-88, while Electrical and Civil wings did not take any action in this behalf. The workmen is covered under the provisions of the Payment of Gratuity Act, 1972 (in short the Act) and orders were issued in that regard by the management on 26-6-2006. Ram Khilari, a similarly situated workmen, raised an industrial dispute and Industrial Tribunal, Government of NCT, Delhi gave an award for regularization of his services from the date of his initial employment. Workmen are eligible for regularization of services from the date of their initial employment. It has been claimed that the management may be commanded to regularize their services from the date of their initial employment.

3. Contest was given to the claim statement pleading therein that the workmen were working on muster roll with the management and their services were regularized from the date mentioned by them in Annexure 1 to the claim statement. Their contention that they are eligible for regularization of their services from the date of their initial engagement, is false. The Apex Court in Surinder Singh's case (Supra) never directed the management to regularize services of muster roll employees from the date of their initial employment. In compliance of the order handed down by the Apex Court, 8982 posts were created in September, 92, and thereafter all workers were regularized in services from prospective dates and not from the date of their initial engagement in various precedents Apex Court ruled that employees selected on daily wages nowhere automatically become regular from the date of their initial employment, even if they perform duties similar to the regular employees. The workmen cannot claim regularization from the back date. When vacancies were available for them their services were regularized. It has been projected that their claim for regularization from the date of their initial employment is false.

4. During the course, of adjudication, Shri Satish Kumar Sharma, General Secretary, of All India CPWD (M.R.M.) Karamchari Sangathan, who was authorized representative of the workmen, made a statement on their behalf that the workmen does not press his claim for regularization in the services from the date their initial employment. Consequently, it is evident that the workmen gave up the contest of their demand for regularization of their services from the date of his initial employment.

5. Circular No. 29/77/2000-ECX, New Delhi, dated 26-6-2006 was issued by the Director General (Works) CPWD, in respect of payment of Gratuity to its casual, hand receipt and muster roll workers under the Act. The said circular makes it clear that the matter was examined in consultation with the Ministry of Urban Development and Ministry of Labour and it was clarified that the Act is applicable to casual, Muster roll, hand receipt and daily rated workers of the CPWD. Consequently all ADV's, CS, SCS, SC, Coordination, Executive Engineer, Directorate of Horticulture, Additional Directorate of Horticulture, Deputy Director of Horticulture, All Deputy Welfare Labour Commissioners and Assistant Labour Welfare Commissioners were requested to make payment of Gratuity to casual muster roll, hand receipt and daily rated workers of CPWD as admissible under the Act. It was further mentioned therein that current/pending court cases on the similar issue may be defended or got settle accordingly. Therefore, it is evident that the management admits the claim of all casual muster roll, hand receipt or daily rated workers of the CPWD for payment of gratuity under the Act.

6. Whether service rendered by the workman, which was paid from contingency, can be counted towards pension? For an answer, provisions of CCS Pension Rules 1972 (in short the Rules) are to be considered. Rule 14 of the said Rules makes service paid from contingencies do not count as qualifying service for pension. However Government of India took a decision in May, 1968 and an office memorandum was issued on 14-5-1968, wherein it is detailed that in some cases, employees paid from contingencies, employed in types of work requiring services of whole-time workers and are paid on monthly rates of pay or daily rates computed and paid on monthly basis and on being found fit brought on to regular establishment. The question whether in such cases service paid from contingencies should be allowed to count for pension and if so to what extent has been considered in the National Council and in pursuance of the recommendation of the Council, it has been decided that half the service paid from contingencies will be allowed to count toward pension at the time of absorption in regular employment subject to the following conditions, viz.

(a) Service paid from contingencies should have been, in a job involving whole time employment (and not part-time for a portion of the day).

(b) Service paid from contingencies should be in a type of work or job for which regular posts could have been sanctioned, e.g. malis, Chowkidars, Khalasis, etc.

(c) The service should have been one for which the payment is made either on monthly or daily rates computed and paid on a monthly basis and which though not analogous to the regular scale of pay should bear some relation in the matter of pay to those being paid for similar jobs being performed by staffs in regular establishments.

(d) The service paid from contingencies should have been continuous and followed by absorption in regular employment without a break.

(e) Subject to the above conditions being fulfilled the weightage for past service paid from contingencies will be limited to the period after 1st January, 1961 for which authentic records of service may be available. Reference can be made to office memorandum No. G. I.M.F., O.M. No. 12 (1)-EV/68, dated the 14th May, 1968.

7. Here in this case it is not a matter of dispute that the workmen, who were paid from contingencies, were performing whole time job with the management since the dates mentioned in para 1 of this award. Their services were regularized on the dates mentioned in para 1 of this award. They performed functions analogous to regular employees till the date of their regularization. Their services with the management were continuous without any break. They satisfied all the conditions laid down in the aforesaid office memorandum issued by the Govt. of India. Hence, the management is under an obligation to comply the said office memorandum and count service of the workmen for the purpose of pension.

8. In view of the fact that contest was given up by the workmen for regularisation of their services from the date of initial employment and the management is under an obligation to comply the aforesaid circular and the Rules, it is expedient to command the management to record services rendered by Workmen as muster roll employee in their service book, which services would be taken into account for payment of gratuity under the Act, at the time of their superannuation or death, as the contingency arise as well as for calculation of qualifying service for pension under the Pension Rules, 1972. An award is accordingly passed. It may be sent to the appropriate Government for publication.

DR. R.K. YADAV, Presiding Officer

Dated: 30-10-09

नई दिल्ली, 11 नवम्बर, 2009

का.आ. 3307.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंडिकेट बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1, दिल्ली के पंचात (संदर्भ संख्या 52/2004) दिनांक 16-10-09 को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2009 को प्राप्त हुआ था।

[सं. एल-12012/135/2004-आई आर (बी.-II)]

यू. एस. पाण्डेय, अनुभाग अधिकारी

New Delhi, the 11th November, 2009

S.O. 3307.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 52/2004) dt. 16-10-99 of the Central Government Industrial Tribunal—1, Delhi now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Syndicate Bank and their workman, which was received by the Central Government on 10-11-2009.

[No. L-12012/135/2004-IR (B-II)]

U. S. PANDEY, Section Officer

ANNEXURE

BEFORE DR. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. 1,
NEW DELHI, KARKARDOMA COURT COMPLEX,
DELHI

I. D. No. 52/2004

Date of Order : 16-10-09

Shri Rajinder Prasad S/o Shri Changa Ram,
Ward No. 8, Mohalla Bhagwala, Town-Bawal,
Rewari. Workman

Versus

The Asstt. General Manager,
Syndicate Bank
Sarajni House, 6-Bhagwan Das Road,
New Delhi-110001. Management

AWARD

1. A casual employee, working in the Bawal Branch of Syndicate Bank, was not continued in service after 11.9.2001. He had joined that branch on 19th of January, 2001. When his services were discontinued, he raised a demand for reinstatement before the Conciliation Officer. Since conciliation proceedings failed, the appropriate Government referred the dispute to this Tribunal for adjudication vide order No. L-12012/135/2004-IR (B-II),

New Delhi, dated 7th of October, 2004, with following terms :—

“Whether the action of the management of Syndicate Bank in terminating the services of Shri Rajinder Prasad S/o Shri Changa Ram, temporary sub-staff w.e.f. 11-9-2001 is just and legal? If not to what relief the workman is entitled to?”

2. Claim statement was filed by Shri Rajinder Prasad pleading therein that he worked as a temporary sub-staff in the Bawal branch of the bank at two spells. Initially he worked from 30-12-1994 to 1-11-1999. His services were discontinued at that juncture. He was subsequently engaged on 19-1-09 and worked with the bank till 11th of September, 2001. He projects that in November, 1999 there was one attender posted at the aforesaid branch of the bank, against a sanctioned strength of two attenders. Though there was a vacancy available, yet his services were terminated, with an object to deprive him to secure status and privilege of a permanent employee. Action of the management was violative of the provisions of section 25-T of the Industrial Disputes Act, 1947 (in short the Act). He was again engaged on 19th of January, 2001. He worked there till 11.9.2001. His services were terminated on 11.9.2001, under the guise of transfer of a permanent attender to that branch. He sent a representation dated 12.9.2001, to the Chairman of the bank but to no avail. No notice or pay in lieu thereof was given to him. He was not paid any retrenchment compensation. His termination amounts to retrenchment, as defined by section 2(oo) of the Act. His retrenchment is violative of the provisions of section 25 F of the Act. He claims reinstatement in services with continuity and full back wages.

3. Contest was given to the claim pleading that Rajinder Prasad was engaged as a casual labour for supply of portable water. He was neither appointed against a regular post nor in consonance with rules and procedure for appointment of a regular employee. His services were engaged on account of exigency of work. He never rendered continuous service. Hence, he was not entitled to the benefit under the Act.

The management is supposed to follow the procedure for recruitment for filling a regular vacancy. Rajinder Prasad was not taken in services by following that procedure. A panel of Attenders is prepared by the Zonal Office of the bank. Name of Rajinder Prasad does not appear in that panel. He was engaged as a casual employee, as and when there was exigency of work. He was paid coolie charges for supply of water. There was no relationship of employer and employee between the parties. There is no question of violation of the provisions of section 25-F of the Act. His claim is liable to be dismissed.

4. Rajinder Prasad has examined himself in support of his claim. Shri Surinder Pal, Manager, was examined by

the management to substantiate their stands. No other witness was examined by either of the parties.

5. Arguments were heard at the bar. Shri C.D.Chaturvedi, authorized representative, advanced arguments on behalf of the workman. Shri Rajesh Mahendru, authorized representative, raised his submissions on behalf of the management. I have given my careful consideration to the arguments advanced at the bar and cautiously perused the record. My findings on issues involved in the controversy are as follows.

6. Rajinder Prasad testified that he joined services in Bawal branch of Syndicate bank-as a casual labour in December, 1994. He served the bank till September, 1999. His duties were to fetch water, clean bank premises and dust official files. His duty hours were from 8 A.M. till 9 P.M. He was paid @ Rs.20/- per day. He was not paid for Sundays and Holidays. One day in the month of September, 1999, the Branch Manager told him that since a communication has been received from Zonal Office, hence his services were no longer required. He made him to leave the job saying that he was unable to engage him any further.

7. Rajinder Prasad led emphasis that he again joined services of the bank as a daily wager on 19-1-2001. He used to perform all duties of a casual labour. He used to go to Rewari for cash remittance purposes. He was not paid for Sundays and holidays. He was paid @ Rs. 80 per day. He worked with the management upto of 12th of September, 2001. He had not rendered continuous services for 240 days. He had rendered only 236 days continuous service with the management at that spell. His week for a work were not paid. No notice was served upon him when his services are terminated. No compensation was paid to him at that time. During the course of his cross-examination he concedes that he was taken in employment of the bank without any examination or interview. He was not registered with Employment Exchange. Hence there was no question of his name being referred to the bank for employment. He pleaded that it was function of the Zonal Office of the bank to recruit sub staff for any branch of the bank. He was not employed in Bawal Branch of the bank by its Zonal Office.

8. Shri Sunder Pal unfolds that Shri Rajinder Prasad was performing his duty as water boy in Bawal Branch of the bank. His functions were to fill water in cooler and serve water to the staff. No other duties were assigned to him. He was a casual employee, who used to report at 9 AM and leave at about 1 PM. There was no relationship of employer and employee between Shri Rajinder Prasad and the bank.

9. "Continuous Service" has been defined by Section 25B of the Act. Under sub-section (1) of the said section "continuous service for a period" may comprise

of two period viz; (i) uninterrupted service, and (ii) interrupted service on account of (a) sickness, (b) authorized leave, (c) an accident, (d) a strike which is not legal, (e) a lock-out and (f) a cessation of work that is not due to any fault on the part of the workman, shall be included in the "continuous service." Sub-section (2) of the said Section introduces a fiction to the effect that even if a workman is not in "continuous service" within the meaning of clause (1) for a period of one year or six months, he shall be deemed to be in continuous service for that period under an employer if he has actually worked for the days specified in clauses (a) and (b) thereof.

10. In Vijay Kumar Majoo (1968 Lab. I. C. 1180) it was held that one year's period contemplated by sub-section (2) furnished a unit of measure and if during that unit of measure the period of service actually rendered by the workman is 240 days, then he can be considered to have rendered one year's continuous service for the purpose of the section. The idea is that if within a unit period of one year a person had put in at least 240 days of service, then he must get the benefit conferred by the Act. Consequently, an enquiry has to be made to find out whether the workman has actually worked for not less than 240 days during a period of 12 calendar months, immediately preceding the retrenchment.

11. As testified by Rajinder Prasad he was employed by the bank for the second spell on 19-1-2001 as daily wager. He worked with the bank till 12-9-2001. He admits that he had not rendered 240 days continuous service at that time. He rendered only 236 days continuous service with the management at that spell. Whether his services rendered till September, 1999 can be counted for reckoning continuous services for a period of one year? For an answer this Tribunal has to take into account the deeming provisions of continuous service laid in sub section (2) of Section 25-B of the Act. For that purpose, the Tribunal had to take into account the date on which the services of the workman was dispensed with and from that date it had to proceed back for calculation of 240 days of continuous services. If in that process calculation is made then it only comes to 237 days of continuous services and not of 240 days of continuous services. The first spell of services rendered by workman cannot come to his rescue, since the actual date of termination of service is in September, 2001 and from that date he had only rendered 237 days of continuous services. Consequently, it is evident that Rajinder Prasad had not rendered continuous service for a period of one year, as defined in sub-section (2) of Section 25 B of the Act.

12. Services of the workman were retrenched without payment of notice pay, and retrenchment compensation. It is well settled that in a case of wrongful retrenchment, dismissal or discharge, the normal rule is to award reinstatement. But where a case falls in any of the exception to general rule, the industrial adjudicator has discretion to award reasonable and adequate

compensation, in lieu of re-instatement. Section II-A of the Act vests the industrial adjudicator with discretionary jurisdiction to give "such other relief to the workman" in lieu of discharge or dismissal as the circumstances of the case may require, where for some valid reasons it considers that reinstatement with or without conditions will not be fair or proper.

13. Since the workman had not rendered continuous service for a period of one year, he is not entitled for one month notice or pay in lieu thereof for retrenchment of his services. Retrenchment compensation has not accrued to him in terms of the provisions of Section 25-F of the Act, since he had not rendered continuous service for a year. Therefore, his retrenchment is not violative of the provisions of Section 25-F, 25-G and 25-H of the Act.

14. Since Rajinder Prasad was not appointed in the services of the bank in compliance of the normal procedure of recruitment and he has not rendered continuous service of one year, the action of dispensing with his services by the management was just and in accordance with law. His services were engaged on exigency of work and when the work came to an end management was justified in dispensing with his services. He is not entitled to any relief of reinstatement in the services. An award is accordingly passed.

Date: 16-10-2009

DR. R. K. YADAV, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2009

का.आ. 3308.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. खरगा कैण्टीन के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 134/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-2009 को प्राप्त हुआ था।

[सं. एल-14012/66/2002-आई. आर. (डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S.O. 3308.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 134/2002) of the Central Government Industrial Tribunal-cum-Labour Court, No.-1, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Kharga Canteen and their workman, which was received by the Central Government on 13-11-2009.

[No. L-14012/66/2002-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case No. I. D. No. 134/2003

Shri Sher Singh (Retd.) Subedar (Clerk)
Anand Nagar-A, Near Baba Balak Nath Mandir,
Babyl Ambala Cantt. (Haryana)

Versus

The Canteen Officer, M/s. Kharga Canteen (I & II),
Babyl Road, Ambala Cantt. Through Gen-Officer
Commanding, HQ 2 Corps, 56 A.P.O.

APPEARANCES

For the workman : Sh. Balbir Singh
For the management : Sh. A. K. Verma

AWARD

Passed on 3-11-2009

Government of India, Ministry of Labour, vide notification No. L-14012/66/2002-IR(DU) dated 20th June, 2003, by exercising its powers under Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the act), referred the following industrial dispute for adjudication to this Tribunal:

"Whether the action of the management of M/s. Kharga Canteen (I and II) Babyl Road, Ambala Cantt. in terminating the services of Sh. Sher Singh Ex-Account Manager without complying with the provisions of Section 25-F, 25-G & 25-H is just and legal? If not so, what relief the workman is entitled to and from which date?"

2. Learned legal representative of workman appeared and made the following statement:

"The management has raised objection regarding the jurisdiction of this labour court to adjudicate the cases of defence canteen employees' in the reference case of Anita Vs. Golden Lion Canteen on the basis of the judgment rendered by the Hon'ble Supreme Court. I have gone through the judgment and the objection is correct and the canteen employees have not been held to be Central Govt. Employees. Thus this court has no jurisdiction. Therefore, I may be allowed to withdraw the present reference and to file the same before the appropriate authority without any impediment of limitation."

3. In view of the above statement of the representative of the workman, the present reference is returned to the Central Govt. as withdrawn with a right to raise the issue before the appropriate authority without any impediment of limitation. Central Govt. be informed. File be consigned.

Chandigarh

3-11-2009

G. K. SHARMA, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2009

का. आ. 3309.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 131/02) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-09 को प्राप्त हुआ था।

[सं. एल-40012/38/2002-आई आर(डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S. O. 3309.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.131/2002) of the Central Government Industrial Tribunal -cum -Labour Court, No. I Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of D/o. Telecom and their workman, which was received by the Central Government on 13-11-2009.

[No. L-40012/38/2002-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. 131 of 2002

Sh. Sahib Singh C/o Sh. N.K. Jeet, 27342, Lal Singh Basi Road, Mohalla Hari Nagar, Bhatinda (Punjab)

Vs.

The General Manager, Telecom., Deptt. of Telecom, Amritsar (Punjab)

APPEARANCES

For the Workman : None

For the Management : None

AWARD

Passed on 28-10-2009

Government of India, Ministry of Labour, vide notification No. L-40012/38/2002/IR(DU) dated 24th July 2002, by exercising its powers under Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act), referred the following industrial dispute for adjudication to this Tribunal.

"Whether the action of the management General Manager, Telecom, Amritsar in terminating the services of Sh. Sahib Singh S/o Sh. Joginder Singh, workman w.e.f. 28-2-99 is just and legal? If not to what relief the workman is entitled to and from which date?"

2. Case repeatedly called. None appeared on behalf of the workman. It appears that workman is not interested to pursue his case. In view of the above as the workman is not appearing to pursue his case, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned.

Chandigarh.

Dated 28-10-2009

Camp at Amritsar

G. K. SHARMA, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2009

का. आ. 3310.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गोल्डन लॉयन पीएच एण्ड एचपी (आई), अम्बाला कैंट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 51/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-09 को प्राप्त हुआ था।

[सं. एल-14012/41/2002-आई आर(डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S. O. 3310.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.51/2003) of the Central Government Industrial Tribunal -cum -Labour Court No.-I, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Golden Lion PH & HP (I), Ambala Cantt. and their workman, which was received by the Central Government on 13-11-2009.

[No. L-14012/41/2002-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. 51 of 2003

Sh. Sat Pal S/o Sh. Beli Ram, Village Bichli Dhamouli, Tehsil Naraingarh, Ambala (Haryana)

Versus

The Chairman, Canteen Managing Committee, Golden Lion PH & HP(I), Sub Area Canteen Cell Ambala Cantt. (Haryana)-133001.

APPEARANCE

For the Workman : Sh. Balbir Singh

For the Management : Sh. A. K. Verma

AWARD

Passed on 3-11-2009

Government of India, Ministry of Labour, vide notification No. L-14012/41/2002-IR (DU) dated 2nd January 2003, by exercising its powers under Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act), referred the following industrial dispute for adjudication to his Tribunal :

“Whether the action of the management of Golden Lion PH & HP (I) Ambala Cantt. In terminating the service of Sh. Sat Pal, Ex-Salesman is just and legal ? If not so, what relief the workman is entitled to and from which date ?”

2. Learned legal representative of workman appeared and made the following statement :

“The management has raised objection regarding the jurisdiction of this labour court to adjudicate the cases of defence canteen employees’ in the reference case of Anita Vs. Golden Lion canteen on the basis of the judgement rendered by the Hon’ble Supreme Court. I have gone through the judgement and the objection is correct and the canteen employees have not been held to be Central Government Employees. Thus this court has no jurisdiction. Therefore, I may be allowed to withdraw the present reference and to file the same before the appropriate authority without any impediment of limitation.”

3. In view of the above statement of the rep. of the workman, the present reference is returned to the Central Government as withdrawn with a right to raise the issue before the appropriate authority without any impediment of limitation. Central Government be informed. File be consigned.

Chandigarh
3-11-09

G. K. SHARMA, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2009

का. आ. 3311.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. पी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच,

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, इर्नाकुलम के पंचाट (संदर्भ संख्या 26/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-09 को प्राप्त हुआ था।

[सं. एल-30011/12/2009-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S. O. 3311.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.26/2009) of the Central Government Industrial Tribunal/Labour Court, Ernakulam now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BPCL and their workman, which was received by the Central Government on 13-11-2009.

[No. L-30011/12/2009-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM**

Present: Shri P. L. Norbert, B.A., LL.B., Presiding Officer (Monday the 19th day of October, 2009/27th Asvina, 1931)

I.D. 26/2009

Union : The General Secretary,
Refinery Employees Union,
BPCL, Kochi Refinery,
Ambalamughal (Kerala)-682302

Management : The Executive Director,
BPCL, Kochi Refinery,
Ambalamughal (Kerala)

This case coming up for hearing on 19-10-2009, this Tribunal-cum-Labour Court on the same day passed the following :

AWARD

This is a reference under Section 10(1)(d) of Industrial Disputes Act challenging the termination of service of workman Sri T.P. Saju of BPCL, Kochi Refinery, Ambalamughal.

2. On summons management alone entered appearance. Though the Union Secretary accepted summons nobody has turned up to represent the union. The case was posted again for the appearance of union. But there is no response. Hence it has to be presumed that there is no existing dispute for adjudication.

In the result an award is passed finding that the action of the management in terminating the service of Sri T.P. Saju is legal and justified and he is not entitled for any relief.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 19th day of October, 2009.

P. L. NORBERT, Presiding Officer

Appendix—Nil.

नई दिल्ली, 13 नवम्बर, 2009

का. आ. 3312.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार न्याहा सेवा इन्टरनेशनल कन्टेनर टर्मिनल लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 2, मुम्बई के पंचाट (संदर्भ संख्या 2/59/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-2009 को प्राप्त हुआ था।

[सं. एल-31011/5/2002-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S. O. 3312.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-2/59/2002) of the Central Government Industrial Tribunal/Labour Court No.-2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Nhava Sheva International Container Terminal Ltd. and their workman, which was received by the Central Government on 13-11-2009.

[No. L-31011/5/2002-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

Present : A. A. Lad : Presiding Officer.

Reference No. CGIT-2/59 of 2002

Employers in Relation to the Management of Nhava Sheva International Container Terminal Ltd.

The Chief Executive Officer,
Nhava Sheva International Container
Terminal Ltd., Operation Centre,
Sheva, Navi Mumbai-400 707

... First Party

V/s

Their Workmen

The Vice President,
Nhava Sheva Port and General Workers Union,
Port Trust Karmgar Sadan, Nawah Tank Rd.,
Nazgaon, Mumbai-400 010. ... Second Party

APPEARANCE

For the Employer : Mr. R.S. Pai, Advocate

For the Workmen : Mr. Jaiprakash Sawant,
Advocate

Date of reserving the Award : 7-5-2009

Date of passing the Award : 10-9-2009

AWARD PART II

The matrix of the facts as culled out from the proceedings are as under :

2. The Government of India, Ministry of Labour by its Order No. L-31011/5/2002-IR(M) dated 16th July, 2002 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Nhava Sheva International, Container Terminal Ltd. in terminating the services of Shri Sameer Pandit, ex-OC Operator w.e.f. 16-8-2001 is legal and justified ? If not to what relief the workman is entitled?

2. To support the subject matter involved in the reference 2nd Party filed Statement of Claim at exhibit 5 stating and contending that, the action of the Management in dismissing the concerned workman from services with effect from 16th August, 2001 by its order dated 16-1-2001 is illegal and unjustified. It is stated that, the action of the Management is against the provisions of Industrial Disputes Act, 1947 and it amounts to unfair labour practice within the meaning of Item 5(a)(b)(d)(f) and (g) of V the Schedule of Industrial Disputes Act, 1947. It is stated that, the provisions of the Industrial Disputes Act, 1947 were not followed while instituting and conducting the enquiry. Even provisions of Industrial Employment (Standing Orders) Act, 1946 were not followed by framing charge and investing the charges levelled against the concerned Workman. Besides it is stated that, the finding of the Enquiry Officer is perverse and punishment awarded is disproportionate. So it is prayed that, the enquiry conducted be set aside observing not fair and proper

besides finding perverse. It is also prayed that, the action against the concerned Workman for such an enquiry be quashed and set aside.

3. These contentions are disputed by the 1st Party by filling Written Statement at Exhibit and stating that, full opportunity was given to the concerned Workman. It is stated that, the representative of the 2nd Party who is also an Advocate participated in the enquiry. Witnesses were examined and the witnesses examined by the Management were made available in the enquiry to the Defence Representative. Full opportunity was given to the concerned Workman. Documents were given. Enquiry Officer had given reason and observe the charges are proved against the concerned Workman. It is stated that, enquiry was fair, proper and finding not perverse. It is also stated that, the punishment awarded to the concerned Workman does not require to be disturbed. So it is prayed that, the Reference be rejected.

4. In view of the above pleadings my Ld. Predecessor framed Issues at Exhibit 7 out of which Issues No.1 and 2 were decided by passing Part I Award on 13th August, 2007 holding enquiry fair and proper and finding not perverse. Now, issue of quantum of punishment is taken for consideration which I answer as follows :

Issues	Findings
3. Whether the action of the Management of Nhava Sheva International Container Ltd. in terminating the services of Shri Sameer Pandit, ex.QC Operator w.e.f. 16-8-2001 is legal and justified ?	Yes
4. What relief the workman is entitled to?	Does not survive.

Reasons :

Issue Nos. 3 & 4 :

5. Charge of willful insubordination, riotous or disorderly behaviour during working hours, inciting other workers, refused to work, refused to accept the suspension order and sexual harassment to women employees at work place were leveled against the concerned workman by issuing charge sheet. Opportunity was given to the concerned workman to participate in the enquiry. After receiving the explanation from the concerned workman which 1st Party found unsatisfactory, decided to proceed against the concerned workman by appointing Enquiry Officer. Enquiry Officer conducted enquiry and after recording evidence Enquiry Officer found concerned

workman guilty of the willful insubordination or willful disobedience, riotous, disorderly behaviour, inciting, abetting or instigating others to stop work and refused to accept the suspension order as well as did not behave properly at work place were proved and copy of the said was forwarded to the concerned workman on which she was asked to submit her remarks. After receiving the remarks from the concerned workman, Disciplinary Authority took decision of his dismissal. Said was challenged by the concerned workman before Appellate Authority. Even Appellate Authority did not find any substance in say of the concerned workman and confirmed the finding on which the Disciplinary Authority decided to take action of termination.

6. On the point whether the action taken by the 1st Party is justified or no evidence is led by both sides. They straightaway submitted written arguments i.e. by 2nd Party at Exhibit 28 and 1st Party at Exhibit 30 with citations.

7. Perused those on the charges leveled against the concerned workman as well as the finding given by the Enquiry Officer. It is to be noted that, while passing Part I Award on 13th July, 2007 enquiry is observed fair and proper. It was also observed finding not perverse. When enquiry was observed as fair and proper and finding not perverse in that case, action taken by the 1st Party of dismissal required to be considered very cautiously.

8. Here the Ld Advocate for the 1st Party referred to number of citations more precisely (1) citation published in 2006 (2) SCC page 269 in the case of L.K. Verma vs. HMT Ltd., (2) citation published in 2005 (3) SCC page 134 in the case of Mahindra & Mahindra Ltd. vs. N.B. Narawade, (3) citation published in 1995 II CLR page 569 (Karnataka High Court) in the case of Dr. Padmnabhudu vs. Bank of India and anr., (4) citation published in 2005 (2) SCC page 481 in the case of BHEL vs. Chandrashekhar Reddy, (5) citation published in 2006 (111) FLR page 1187 (SC) in the case of TELCO vs. N.K. Singh, (6) citation published in 2008 (2) LLJ page 309 (SC) in the case of TELC vs. Workman, (7) citation published in 2005 (105) FLR page 155 in the case of M.P. Electricity Board vs. Jagdish, (8) citation published in 1980 (1) LLJ page 295 in the case of Sarabhai M. Chemicals vs. M.S. Almere, (9) citation published in 1975 (1) LLJ page 3911 in the case of Mulchandani Electrical & Radio Industries Ltd. vs. Their Workman, (10) citation published in 2007 (1) Mah.L.J. page 2497 in the case of S Khan vs. Hashmat & Co., (11) citation published in 2008 (2) LLJ SC page 945 in the case of Usha Breco Mazdoor Sangh vs Management of Usha Breco Ltd. and anr., (12) citation published in 2007 (1) CLR page 563 in the case of Golden Chemicals Ltd. vs. Mohd. Azam Dil, where in all cases it was observed that, when misconduct is proved in that

case, punishment given need not be disturbed and require to reconsider very cautiously if it is challenged by the concerned workman. Here charge of misconduct was leveled against the concerned workman and it was proved against the concerned workman. The charge of instigating workers or colleagues not to attend work, charge of not obeying officers, charge of not attending work, charge of behaving in disorderly manner at work place and charge of insulting women workmen working at work place were leveled against the concerned workman.

9. The concerned workman tried to submit in the arguments that, those charges cannot be leveled against the concerned workman since it was not permissible to 1st Party. Besides it is stated that, Industrial Disputes Act, 1947 does not permit the management to level such charges allegations and there is no right to the Management to prosecute the concerned workman on these charges. However, it is not pointed out as to how the Management cannot level such charges against the concerned workman and it is not shown how charges are not legal and proper or how it is beyond the jurisdiction of the employer?

10. No doubt Enquiry Officer is silent about sexual harassment to women workmen at work place but evidence brought on record before the Enquiry Officer reveals that, concerned workman was torturing the lady workers, talking irrelevantly with them, insulting them and this Court observed finding given by the Enquiry Officer is just and proper and has base to decide like that.

11. When such charges are leveled and when said charges are against the interest of the employer to maintain the industrial peace in the organization which is expected at work place, in my considered view, employee of this type if kept in the employment will definitely disturbs others and will lead them to behave like that and will encourage them not to attend work and said will spread wrong signal and will create unrest at the work place. Here charge of instigating workers or colleagues not to attend work was leveled against the concerned workman which is of very serious nature. Besides Enquiry Officer observed that, said charges are proved against the concerned workman. Even charge of behaving disorderly at work place was leveled against the concerned workman which was also observed as proved by the Enquiry Officer against the concerned workman. When that is the position and when number of citations are produced by the 1st Party's Advocate are showing that, when such misconduct is proved, it is not desirable for the Labour Court or the Court sitting under Section 11-A of the Industrial Disputes Act, 1947 to interfere in the order of the punishment.

12. Here charges are of very serious nature. Instigating other workers or colleagues not to attend work, charge of misconduct is leveled which is of very serious nature. If we looked into the scenario where such workers are attending work generally others are following such type of element and if said is not considered very cautiously and seriously definitely; it will spread among others and definitely will come in the way of the Management which will create problems on the production as well as on the industrial peace.

13. If we consider all this, coupled with the case made out by both and the ratio laid down by various Courts referred by 1st Party's Advocate, I conclude that, the punishment of dismissal in such a scenario is just and proper and does not require to interfere. So I answer the above issue to that effect and passes the following order :

ORDER

Reference is rejected with
no order as to its costs.

Bombay

10th September, 2009

A. A. LAD, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2009

का. आ. 3313.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भीलाई स्टील प्लान्ट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/147/02) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-09 को प्राप्त हुआ था।

[सं. एल-29011/37/2002-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S. O. 3313.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/147/02) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the management of Bhilai Steel Plant and their workman, which was received by the Central Government on 13-11-2009.

[No. L-29011/37/2002-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR****No. CGIT/LC/R/147/02****Presiding Officer : Shri Mohd. Shakir Hasan**

The President,
Metal Mines Workers Union,
Rajhara Branch, Dalli-Rajhara,
Distt. Durg, Chhattisgarh.

... Workman/Union

Versus

The General Manager (Mines),
Bhilai Steel Plant,
Bhilai (Chhattisgarh)
Bhilai (M.P)

Management

AWARD

Passed on this 20th day of October, 2009

1. The Government of India, Ministry of Labour vide its Notification No.L-2901 1/37/2002-IR(M) dated 17-10-02 has referred the following dispute for adjudication by this tribunal :-

“Whether the action of management of Bhilai Steel Plant in removing services of Shri Joginder Thakur, Attendant, P/No. 899269 of Rajhara Mechanised Mines of BSP vide order No. OMQ/Raj/Estt.III/99/594 dated 12-4-99 is legal and justified ? If not, to what relief the workman is entitled ?”

2. The case of the workman in short is that the management served on him a chargesheet alleging therein that he had committed a major misconduct under clause 29(ii) and (iii) of Mines Standing Orders. It is alleged that the allegation of charges were fabricated with an aim to victimize the workman. It is stated that the declaration of caste is not amount to any misconduct under Mines Standing Orders. It is stated that valid caste certificate was issued by the State official which was found valid and genuine by the Employment Exchange officials. On these grounds, it is submitted that the reference be answered in his favour.

3. The management also appeared and filed the Written Statement. The case of the management, interalia, is that the workman was served with a charge sheet on 16-4-97 for the acts of misconducts. The charges against the workman were that he had committed fraud in connection with the company's business and had given false information regarding one's name and caste at the time of employment. He had applied as Schedule Tribe candidate and a false caste Certificate of the Caste "Gond" was filed by him to secure appointment though he was by caste "Brahmin". The School records and transfer certificate

of the school show that he was Brahmin. It is stated that the workman committed misconduct under the clause 29(ii) and (iii) of the Mines Standing Orders. It is denied that the charges are fabricated and are only for victimization to the workman. A departmental enquiry was held after giving opportunity to defend himself or through co-worker. The workman participated in the enquiry. After enquiry the charges were found proved. The Disciplinary Authority found that the workman obtained the employment of the post of schedule Tribe on the basis of false certificate of the Caste "Gond". Under the circumstances, the workman is not entitled to any relief.

4. During the course of proceeding, the workman filed an application dated 14-10-09 to withdraw the case. It is submitted that he doesnot want to proceed with the case and no dispute award be passed. The management has also no objection, if no dispute award is to be passed. Since the workman doesnot want to pursue the case, it appears to be no justification to keep the reference pending. In view of his prayer, the reference is answered.

5. In the result, no dispute award is passed without any costs.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2009

का. आ. 3314.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट ऑथोरिटी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, इनाकुलम के पंचाट (संदर्भ संख्या 148/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-2009 को प्राप्त हुआ था।

[सं. एल-11012/23/2004-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S. O. 3314.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.148/2006) of the Central Government Industrial Tribunal /Labour Court, Ernakulam now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Airport Authority of India and their workman, which was received by the Central Government on 13-11-2009.

[No.L-11012/23/2004-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM****Present:** Shri. P.L. Norbert, B.A., LL.B., Presiding Officer

(Friday the 25th day of September, 2009/3rd Asvina, 1931)

I.D.148/2006

Workman : Sh.Sunil Kumar A.,
TC 41/876, Kuryanthi,
T.N.Puram Manacaud,
Trivandrum.

By Adv. Shri. T. C. Krishna

Management : 1. M/s. Puliyadiyil Service Centre,
Ambujavilasom Road,
Near GPO, Trivandrum-695 001.

2. The Airport Director,
Trivandrum Airport Authority
of India (NAD),
Trivandrum International Airport,
Trivandrum-695 008.

By Adv. K. L. Narasimhan

3. M/s. Utility Engineer (India) Ltd.,
J.C.Nagar, Bangalore.

4. M/s. Ranga Electricals,
Electrical Engineers,
8, Kamaraj Street, MGR Nagar,
Chennai - 600 078.

5. M/s.R.K.Electrical,
Medical College, Trivandrum.

6. M/s.Utility Air-conditioning
Services, 4, R.K.Block, J.C.Nagar,
Bangalore - 560 023.

7. M/s.Freezetone Airconditioning
Engineers, No.59, IInd Floor,
9th Cross Main Mangadi Road,
Bangalore - 560 023.

8. Sh. Shabu V.S.,
Syam Niwas, Kamaleswaram,
Manacaud, Trivandrum-695 009.

This case coming up for hearing on 22-09-2009, this
Tribunal-cum-Labour Court on 25-09-2009 passed the
following.

AWARD

This is a reference made under Section 10(1)(d) of
Industrial Disputes Act. The reference is :

“Whether the demand of Shri Sunil Kumar, ex-AC
Operator who claims to have worked with

(1) M/s.Puliyadiyil Services, Vanchiyoor, Trivandrum,
(2) M/s. Sreeranga Electrical, MGR Nagar, Madras,
(3) M/s. R.K.Electricals, Medical College P.O.,
Trivandrum, (4) M/s.Utility Engineer (I) Ltd., (5) Shri
Shabu V.S., Trivandrum (6) M/s. Utility
Airconditioning Service, Bangalore and (7)
M/s. Freezton Air Condition Engineers, Magadi Road,
Bangalore for appointing him in the services of
M/s. Airport Authority of India, Trivandrum Airport,
is justified? If so, to what relief the concerned
workman is entitled?”

2. The facts of the case in brief are as follows :—The
worker Shri Sunil Kumar claims that he was employed in
Trivandrum Airport as A/c Operator from 1991 onwards.
According to him though the operation and maintenance
work of Air Conditioners were entrusted by the management
to different contractors the workers continued to be the
same since 1991. However the workman was denied
employment from 30-6-2001 on the ground that the
agreements with the contractors had been terminated. The
contract was only a camouflage. The work done by the
workman was prohibited under Contract Labour (Regulation
and Abolition) Act, 1970. Hence the workman is entitled to
be treated as employee of Airport Authority of India and
absorbed in service.

3. According to the management the reference is not
maintainable as this court has no jurisdiction to adjudicate
the dispute. The contract employment in the work of
electrical installation, Air-Condition Operation etc. is not
prohibited under CLRA Act so far. The workman was never
employed in Trivandrum Airport either directly or indirectly
by the Airport Authority. Airport Authority of India in the
past had entrusted operation and maintenance of different
electrical installations to various contractors. It is denied
that the same workers continued under different contractors
from 1991 onwards. The engagement of contract labour is
within the control and management of contractors and
management has nothing to do with it. Airport Authority
has not terminated the service of the workman. Such matters
are to be decided by the contractors themselves. The
contract is genuine. Since the worker has never been in the
employment of the management there is no question of the
workman. The claim of the workman is unsustainable.

4. In the light of the above contentions the following
points arise for consideration :

1. Whether the contract is genuine?

2. Is the workman entitled for regularisation?

5. The evidence consists of the oral testimony of
WWI and documentary evidence of Exts.WI to 10 on the
side of the workman and MWI and Exts.MI to M3 on the
side of the management.

6. Point Nos. 1 & 2 :—Shri Sunil Kumar had worked in the Trivandrum Airport as an Air-condition Operator. According to him though he was initially engaged through a contractor, it was only a sham arrangement in order to deprive the benefits of a regular employee. On the other hand the management contends that the worker was never engaged by the Airport Authority but by the contractors.

7. Ext. W1 is the Gazette notification of 16-11-1999 under Section 10 (1) of CLRA Act prohibiting contract labour in the Electrical Wing of Air Port Authority. Item No. 3(i) of the schedule reads :

"Day to day maintenance and operation of air conditioning plants, generator sets and electrical installations except where these are being undertaken by the manufacturer/original supplier as part of the supply arrangements. This will not apply to periodical maintenance such as annual overhaul of equipment or heavy breakdowns requiring replacements of major components etc. which the establishment may have entered into with equipment supplier or supplier's nominee".

Thus the contentions of the Airport Authority of India that contract labour in the field of Air-condition operation and maintenance is not prohibited under CLRA Act is bereft of truth. The prohibition was there since 1999 as per Ext. W1. Though the workman contends that he was controlled and supervised by officers of Airport Authority and treated as an employee of the Airport Authority, other than his own testimony there is no corroborative evidence. The workman (WW1) admits that he was working under contractors and wages were paid by the contractor and receipt was issued by him to the contractor. There are no records to prove he was supervised and controlled by Air Port Authority. There is equally no evidence as to who is the Disciplinary Authority. The records available go to show that he had been working under different contractors in Trivandrum Air Port in A/C operation and maintenance section of plants from 1991 to June 2001. Exts. M1 to M3 are contract agreements of the period 1997-1998, 1998-99 and 1999-2001. The contract given was operation and comprehensive maintenance of air-conditioning plants. Though seven contractors are parties to the dispute none have appeared or filed written statement. Exts. W4 to 6 series are temporary passes issued to the workman by Airport Authority during the period from 10-06-1991 to 03-05-2001. They can only show that the workman was engaged in the Airport for some work, but not necessarily as an employee of the Airport. Exts. W7, 8, 9 and 10 are certificates issued to the worker by different contractors during different periods from 1991 to '98 stating that the workman was employed as an Air-Condition Plant Operator under the contractors and he was attending to operation

and maintenance of Central Air-Condition plant at the International Airport Authority of India, Trivandrum. Ext. W2 is a reply of Airport Authority to the workman dated 24-10-2002 stating that his representation for appointment and regularisation under Airport Authority cannot be considered favourably since he was engaged only by the contractors. Ext. W3 is comments of Airport Authority submitted to Assistant Labour Commissioner (Central) in respect of industrial dispute raised by the workman. It is stated in Ext. W3 that as per the records available the workman and another person had worked under a contractor from 01-09-1999 to 31-07-2001 and the contract was terminated w.e.f. 01-08-2001. Thus Exts. M1 to M3, W3 and entry passes Exts. W4 to 6 series go to show that the workman was Engaged in Trivandrum Airport in Air-condition Plant for operation and maintenance. There is no doubt that he was engaged initially by a contractor in 1991. He worked under different contractors as contract labour until 1999 and the contract was genuine till then.

8. But on 16-11-1999 a notification prohibiting employment of contract labour for maintenance and operation of Air-condition plants was issued and published in the Gazette. However the Airport Authority continued to employ the workman till the end of June 2001. It is observed in Steel Authority of India Ltd. v. National Union Waterfront Workers (2001) 7 SCC 1, para 68 as follows :—

"68. We have extracted above Section 10 of the CLRA Act which empowers the appropriate Government to prohibit employment of contract labour in any process, operation or other work in any establishment, lays down the procedure and specifies the relevant factors which shall be taken into consideration for issuing notification under subsection (1) of Section 10. It is a common ground that the consequence of prohibition notification under Section 10(1) of the CLRA Act, prohibiting employment of contract labour, is neither spelt out in Section 10 nor indicated anywhere in the Act. In our view, the following consequences follow on issuing a notification under Section 10(1) of the CLRA Act:

- (1) contract labour working in the establishment concerned at the time of issue of notification will cease to function;
- (2) the contract of principal employer with the contractor in regard to the contract labour comes to an end;
- (3) no contract labour can be employed by the principal employer in any process, operation or other work in the establishment to which the notification relates at any time thereafter;
- (4) the contract labour is not rendered unemployed as is generally assumed but

continues in the employment of the contractor as the notification does not sever the relationship of master and servant between the contractor and the contract labour;

- (5) the contractor can utilise the services of the contract labour in any other establishment in respect of which no notification under Section 10(1) has been issued where all the benefits under the CLRA Act which were being enjoyed by it, will be available;
- (6) if a contractor intends to retrench his contract labour, he can do so only in conformity with the provisions of the ID Act.

The point now under consideration is whether automatic absorption of contract labour working in an establishment, is implied in Section 10 of the CLRA Act and follows as a consequence on issuance of the prohibition notification thereunder. We shall revert to this aspect shortly”.

9. As observed by the Hon'ble Supreme Court once the employment of contract labour in any field is prohibited the contract comes to an end and the service of contract labour to comes to an end. But if the principal employer continues to engage contract labour it cannot be considered as an employment under contractor. If the principal employer claims that the continued engagement of labour is on the strength of a contract, it cannot be a genuine contract either. The labour engaged after prohibition notification can only be the employees of the principal employer. The very fact that the Airport Authority continued to engage Shri Sunil Kumar as revealed from the documents referred supra, means that the workman is an employee of the Airport Authority. His service after date of prohibition notification can be dispensed with by the Airport Authority only in accordance with the provisions of Industrial Disputes Act. It is for the Airport Authority to consider his regularisation in service in accordance with the eligibility criteria. The Airport Authority cannot be heard to say that the service of the workman was not terminated by the Airport Authority but by the contractor. Since the worker was an employee of the Airport Authority till 2001 the termination of service can be done only by the Airport Authority and not by the contractor. Since the Airport Authority had not followed the procedure for termination of service, the workman is entitled to be reinstated with back wages and other benefits. However the question of absorption is a matter for the Airport Authority to consider in accordance with recruitment norms.

In the result an award is passed finding that the termination of service of the workman is illegal and

unjustified and it is not in accordance with the provisions of ID Act and he is entitled to be reinstated with back wages and other benefits. However the demand of the workman for regularisation is a matter for the Airport Authority to consider in accordance with the recruitment norms.

The award will come into force one month after its publication in the official gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 25th day of September, 2009.

P. L. NORBERT, Presiding Officer.

Appendix

Witness for the Workman

WW1 - 12-02-2009 - A. Sunil Kumar

Witness for the Management - Nil.

MW1 - 26-06-2009 - Royi. R.

Exhibits for the Workman

- W 1 - Gazette notification dated 16-11-1999 issued by Ministry of Labour, Government of India.
- W 2 - Letter dated 24-10-2002 issued by Airport Authority of India to the workman.
- W3 - Photocopy of comments issued by Airport Authority of India.
- W4 - Passes issued by Airport Authority of India (2 Nos.).
- W5 - Temporary pass issued by Bureau of Civil Aviation Society.
- W 6 - Photocopy of daily permits issued by Bureau of Civil Aviation Security (5 Nos.).
- W7 - Certificate dated 22-11-1991 issued by Sri.Ranga Electricals.
- W8 - Certificate issued by Freezone Air-conditioning Engineers.
- W 9 - Certificate dated 23-7-1998 issued by Utility Air-conditioning Services.
- W 10 - Photocopy of certificate dated 10-05-1996 issued by Utility Engineers (India) Limited.

Exhibit for the Management

- M1 - Original of the agreement No.15/EE(E) AMED/ TVM/97-98 dated 29-05-1997 entered into between 1st respondent and Contractor, M/s. Utility Air-conditioning Services, No. 4, R. K.

- Block, J. C. Nagar, Bangalore-560 006 for operation and comprehensive maintenance of 2x60 TR Central Air Conditioning Plant and its connected equipments during the year 1997-1998.
- M2 Original of the agreement No./7'EE (E)AMED/ TVM/98-99 dated 01-09-1998 entered into between this respondent and Contractor, M/s. Utility Air-Conditioning Services, No. 4, R. K. Block, J. C. Nagar, Bangalore-560 006, Bangalore for operation and comprehensive maintenance of 2x60 TR Central Air-Conditioning Plants and its connected equipments during the year 1998-1999 and;
- M3 - Original of the agreement No.10/EE (E)AMED/ TVM/99—2000 dated 01-12-1999 entered into between this respondent and Contractor, M/s. Freezone Air-Conditioning Engineers, No. 59, 11nd Floor, Ninth Cross, Main Mangadi Road, Bangalore-560 023 for operation and comprehensive maintenance of 2x60 TR (Utility make) Central Air-Conditioning Plants with its connected equipments during the year 1999-2000.

नई दिल्ली, 13 नवम्बर, 2009

का. आ. 3315.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट ऑथोरिटी ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 2, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/25/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-2009 को प्राप्त हुआ था।

[सं. एल-11011/52/2004-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S. O. 3315.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT 2/ 25/2007) of the Central Government Industrial Tribunal / Labour Court, No. 2, Mumbai now as shown in the Annexure in the Industrial Dispute between the Employers in relation to the management of Airport Authority of India and their workman, which was received by the Central Government on 13-1-2009.

[No. L-11011/52/2004-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI.

PRESENT : Shri A. A. Lad, Presiding Officer

Reference No. CGIT-2/25 of 2007

Employers in Relation to the Management of Airport Authority of India

The Airport Director,
Airport Authority of India (IAD)
Mumbai Airport, Mumbai 400 099.

AND

Their Workmen

The President,
Airport Kamgar Union,
CPWD Office Compound,
Bamanwada, Mumbai 400 059.

APPEARANCES

For the Employer : Ms. Savita Shetye,
Representative.

For the Workmen : No appearance.

Mumbai, dated 5th October, 2009.

AWARD

I. The Government of India, Ministry of Labour, by its Order No.L-11011/52/2004-IR (M), dated 09.02-2007 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :—

“Whether the industrial dispute raised by the Airports Kamgar Union against the management of Airport Authority of India for permanent absorption of Shri Edwin Tawares and 4 other workmen (List attached) justified? If so, what relief the workmen are entitled to?”

List of workers as per annexure ‘A’ :

1. Shri M.Y. Shaikh
2. Shri R. B. Kadam
3. Shri Ramdas Mohite
4. Shri Ganesh More
5. Shri Edwin Tawares

2. After receipt of reference, notices were sent to union which was served to union vide lxx-4 and again vide

Ex-10. No body appeared on behalf of the union to file claim statement. Number of opportunity was given to union. Hence the order :

ORDER

Reference is disposed of for want of prosecution.

Date : 05-10-2009

A. A. LAD, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2009

का. आ. 3316.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट ऑथोरिटी ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, नई दिल्ली के पंचाट (संदर्भ संख्या 25/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-2009 को प्राप्त हुआ था।

[सं. एल-11011/18/2004-आई आर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S. O. 3316.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.25/2004) of the Central Government Industrial Tribunal/Labour Court, No. 1, New Delhi, now as shown in the Annexure in the Industrial Dispute between the Employers in relation to the management of Airport Authority of India and their workman, which was received by the Central Government on 13-11-2009.

[No. L-11011/18/2004-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

**BEFORE DR. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT NO. 1, NEW DELHI,
KARKARDOOMA COURT COMPLEX, DELHI**

I. D. No. 25/2004

Indira Gandhi Airport T.D.I. Karamchari Union
Through its General Secretary,
Dichau Kalan, House No. 717,
Najafgarh, New Delhi-110043

... Workman

Versus

I. Airport Authority of India,
Through its Chief Executive Officer,
IGI Airport, New Delhi-110017.

2. International Airport Authority
of India, Through its Chief Executive
Officer, I.G.I. Airport, New Delhi-110017. Principal Employer

3. M/s T.D.I. International India Pvt.
Ltd., Through its General Manager,
B-4/62, Safdarjung Enclave, New Delhi. Contractor

4. General Manager(Commercial)
Airport Authority of India, (I.A.D.),
I.G.I. Airport Terminal-1.
New Delhi-110037. Principal Employer

5. General Manager(Personnel),
Airport Authority of India, (I.A.D.)
I.G.I. Airport Terminal-1
New Delhi-110037. Principal Employer

6. Sindhu Holdings Limited,
Rakesh Malik (C.E.O),
Through Additional General Manager,
Shanker Basu I.G.I. Airport
Terminal-1. New Delhi. New Contractor

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-11011/18/2004 IR(M) dated 22-4-04 has referred the following industrial dispute to this Tribunal for adjudication:

“Whether the demand of the Union of Indira Gandhi Airport TDI Karamchari Union, Dichau Kalan, 717, Najafgarh, New Delhi against the management of Airport Authority of India, IGI Airport, New Delhi i.e., Addl. General Manager (Commercial), General Manager(Personnel) and Airport Director for regularization of 171 workers (List enclosed) engaged in the work of Trolley Retrievers from 1993 at domestic and International Airport, which is a continuous and perennial nature of work and not to give further employment by M/s. Sindhu Holding Ltd., G-65, Bali Nagar, New Delhi 15, is just. Valid and legal? If so, to what benefits the workmen are entitled for and what directions are necessary in the matter?”

2. Workmen plead in their claim statement that they are in employment of the Airport Authority of India since 1993. According to them, the trolley workers of Domestic and International Airport of Delhi are workmen of the Principal Employer and to be absorbed as regular employees with retrospective effect. The management had not given any provident fund, overtime or other statutory benefits to them to evade benefits of their past service, fresh appointment letters were issued to them in 1996. The system of trolley retrieving began in 1984 and it continued without break till date. In pursuance of order dated 5-11-2003 passed

by High Court of Delhi in WP (C) 5248 of 2002 the Airport Authority of India and the new Contractor are bound to give them preference over new and fresh workmen in fresh contract. However they were ignored.

3. The work done by the trolley retrievers is the collection and distribution of trolleys at the airports. They are required to collect trolleys both at domestic and international airports, parking spaces and the roads. They are required then to push and distribute those trollies at the different part of the airport for use by the passengers. They work for minimum of 8 hours a day. They are often required to work two shifts in the day. They work continuously throughout the year. They do not get a single day leave with wages. They do not get overtime wages when they work extra shift. They get no bonus or gratuity. In fact they are not given statutory benefits.

4. Flight schedules show work throughout the day and night. The flights arrive and depart throughout three shifts. Further, flights are delayed and pressure of delayed flights are felt and experienced by trolley workers of the next shift too. After the last flight, trolley workers collect all trolleys from all points where it were taken and then trolleys are counted and checked for any defects and damage, for it to be repaired at the workshop. On counting, invariably everyday there is a shortage of 40-50 trolleys at each of the airports and thereafter the workers have to start search operation at the airport premises. Further search is conducted at about 3 a.m. which is even done in agricultural fields, villages, runways and at cargo section. The search so conducted goes on for couple of hours and covers a wide area. By the time the search is furnished and trolleys are tallied, thereafter defective and damaged ones are sorted out to be moved to trolleys maintenance workshop.

5. The workmen are employees of the International Airport Authority of India (in short A.A.I.) Leave is sought to refer to and rely on Special Leave Petition (Civil) No. 19266 of 2001 in respect of Bombay trolley retrievers wherein certain documents are produced by the union of the Bombay trolley retrievers showing that the work is of continuous and perennial nature. With a view to create a camouflage between the Airport Authorities and the workers, the Airport Authorities have introduced a contractor as a paper intermediary and wrongly treated the workers as the employees of the contractor. Authorities sent a letter dated 21-4-93 to the contractor disclaiming any liability in respect of statutory benefits to the workers. The contract was entered into to contract out of the labour law, which is unconscionable and void, being hit by Section 23 of the Contract Act. The workmen present that the registration certificate of the principal employer reveals that there did

not exist valid certificate and licenses for the entire period of employment of contract workers. The so called contract between the Principal Employer and contractors is a sham and bogus one.

6. Work of trolley retrieving is of statutory nature. The notification governing the functions of the Airport Authorities are set out in the Airport Authority of India Act, 1994 (in short the Act). Section 12(3) (m) of the Act lays down that it is the function of the Authority to "provide such transport facility as are; in the opinion of the authority necessary to the passengers travelling by air." The contract dated 9-3-89 in respect of trolley retrievers shows pervasive supervision and control or the airport authorities. Clause 5 provided that the wages paid would be the minimum wage. Clause 12 provided that the contract would be terminated if the contract workers form a union. Contract dated 15-2-96 shows pervasive supervision and control by the airport authorities. The number of trolleys and workers required is pre-determined obviously on the basis of the member of flights.

7. The Central Government by its order declined to abolish employment of contract labour in trolleys retrieval system and provided for wages which were to be paid at par with permanent workers. It has been decided by the Central Government not to prohibit the employment of contract labour in the job of trolley retrieval. AAI provided that the wages (consisting of Basic + DA) paid to low category of employees in the respective establishment are paid to the contract labour.

8. The Bombay High Court in the writ petition No. 2994 of 1999 has made a consent order dated 4-4-2003 directing a reference in identical circumstances in respect of trolley workers of Bombay. Bombay trolley workers are, therefore, protected. The management have a practice of requiring the subsequent alleged contractor to absorb the alleged contract worker of the departing contractor. Workmen project that they have been stopped from joining regular duties by the respondents from the midnight of 5/6th December, 2003. On enquiry they were informed that new contractor, namely, Sindhu Holdings Pvt. Ltd. was allotted contract of retrieval of trolleys at the airport. The workmen met the Airport Manager, of Sindhu Holdings and requested him to absorb them in their employment. Their request was declined, which persuaded them to raise the dispute.

9. Management contests the claim, pleading that Airport Authority of India is a statutory body established under the Act, for the purposes of maintenance and development of Airports and during discharge of its

activities the management avails services of various contractors. In this regard the management has awarded the work of airport trolley retrieval of M/s Sindhu Holding who is to decide the requirement of the manpower at a given time, depending upon the requirement of trolley retrieval work. M/s Sindhu Holding in 1996 entered into an agreement with the respondent No. 3 M/s TDI International Ltd. M/s TDI engaged services of the claimants and appointment of the claimants was Co-terminus with the agreement executed between the AAI and M/s. TDI. The contract between AAI and M/s TDI came to an end in the midnight of 5-12-2003 and as per the appointment letter issued by M/s TDI, the claimant's contract of employment with M/s TDI also came to an end. Management projected that claimants were never employees of AAI. In fact they were the employees of M/s TDI. The matter of appointment, service condition and terminations of the workmen it was controlled and supervised by M/s. TDI Respondent No. 3, who was their employer for all purposes and intents. No employer/employee relation ever existed between Airport Authority of India and claimants. Now M/s. Sindhu Holding has deputed its manager and supervisor to carry out supervision and control over their employees. The salary was paid to the claimants by M/s TDI only. Attendance was marked by M/s. TDI only. The statutory deduction and deposit of PF and ESI under the provisions of respective Acts are deposited by M/s TDI only.

10. Management claims that AAI follows a detailed system of appointment and recruitment of its employees. It is projected that workmen, who have raised the present dispute, have already been gainfully employed. They may be directed to furnish details of their employment. Management agitates that the claimants are seeking regularization of their services with the management, who were never their employer. They have no right to seek regularization or any other relief against the management. Their claim for regularization is entirely misconceived and liable to be rejected.

11. On 4-3-99 the respondent and the union representing the workmen were heard by the Central Advisory Contract Labour Board with regard to the issue whether contract labour in trolley retrieval should be abolished or not. On 20-7-99, the Central Advisory Contract Labour Board, vide its notification No.U-23013/3/92(Vol.II) decided not to recommend abolition of contract labour system with respect to trolley retrieval in the establishment referred above. On 16-11-99 the Ministry of Labour examined the recommendations of the Board in various jobs in the establishment of Air India, Indian Airlines and AAI in detail and rightly decided, not to prohibit work of

trolley retrieval in the establishment of AAI on contract basis. Further on 16-11-99 the Government of India issued a circular stating that the said prohibition under Contract Labour (Regulation and Abolition) Act, 1970 will not be applicable to certain contract works at the Airport Authority of India, Air India and Indian Airlines.

12. Similar issues are pending before the Hon'ble Supreme Court of India wherein the defendant challenges various judgement and orders passed by the Hon'ble High Court in various trolley retrieval matters i.e. Civil Appeal No. 9669 of 2003. AAI Vs. Airport Authority Kamgar Union and Ors., in which the Hon'ble Supreme Court was pleased to grant leave and also granted interim relief by order dated 8-12-2003. Since similar issues are pending before the Hon'ble Supreme Court and the Hon'ble Supreme Court had already granted stay in the Civil Appeal No. 9669 of 2003, hence till the final disposal of the said matter, the proceedings pending before this Tribunal be adjourned sine die, otherwise it would lead to judicial predicament. In view of the above there is no case for any relief to the claimants against the management.

13. During the course of adjudication, application was moved on behalf of the workman pleading therein that they are agitating their grievance before the Division Bench of High Court of Delhi in LPA No. 38/2007 and under those circumstances they want to withdraw the reference. The said application was declined, since the workmen were not competent to withdraw the reference sent to this Tribunal by the appropriate Government for adjudication. It was announced that under the law a party is not competent to withdraw the reference. The Tribunal is under a bounden duty to answer the reference made to it, by the appropriate Government. Such order was passed by the Tribunal on 11-5-09.

14. Workmen raised the issue before the High Court, during the course of hearing of L.P.A. No. 38/2007 The High Court was of the view that the dispute was to be closed down during the pendency of the proceedings before it. Accordingly High Court ordered that reference I.D. No. 35/2004 stands closed, vide its order dated 13.7-09.

15. In view of the order passed by the High Court of Delhi, it is not competent for this Tribunal to proceed further with the adjudication on the reference. Consequently the Tribunal refrains its hands from adjudication of the dispute. The dispute referred to the Tribunal by the appropriate Government is answered accordingly. In view of the order of the Hon'ble High Court, it is concluded that the dispute stands closed. An award is accordingly, passed. It be sent to the appropriate Government for publication.

Date: 2-9-2009

DR. R. K. YADAV, Presiding Officer

नई दिल्ली, 13 नवम्बर, 2009

का. आ. 3317.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ संख्या 8/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-2009 को प्राप्त हुआ था।

[सं. एल-30011/67/2006-आई आर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S. O. 3317.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 8/2008) of the Central Government Industrial Tribunal/Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CPCL and their workmen, which was received by the Central Government on 13-11-2009.

[No. L-30011/67/2006-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
CHENNAI**

Wednesday, the 28th October, 2009

Present: A. N. JANARDANAN, Presiding Officer

Industrial Dispute No. 8/2008

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of BPCL amended as CPCL vide Corrigendum dated 4-3-2008 and their Workmen]

BETWEEN

The General Secretary, ...Petitioner/1st Party
Chennai Petroleum Corporation
Employees Union,
7, Sairam Avenue, 1st Street
Behind Jai Garden, Valsaravakkam,
Chennai-600 087

Vs.

The Director (Operations), ...Respondent/2nd Party
Chennai Petroleum Corporation
Ltd., Manali

APPEARANCE

For the 1st Party/ : M/s Ajay Khose
Petitioner

For the 2nd Party/ : M/s. S. Ramasubramanian &
Management Associates.

AWARD

The Central Government, Ministry of Labour vide its Order No. L-30011/67/2006-IR(M) dated 6-2-2008 referred the following Industrial Dispute to this Tribunal for adjudication:—

The Schedule mentioned in that order is :

“Whether the demand of the Chennai Petroleum Corporation Employees Union for extending check-off facility to their Union is just and legal? Whether the existing system of check-off adopted by the Management of CPCL is in violation of entry 3 of 5th Schedule of the ID Act, 1947? If so, to what relief the aforesaid Union is entitled to?”

2. After the receipt of Industrial Dispute, this Tribunal has numbered it as ID 8/2008 and issued notices to both sides. Both sides entered appearance through their respective counsel.

3. Points for determination are :

- (i) Whether the demand of the Chennai Petroleum Corporation Employees Union for extending check-off facility to their Union is just and legal?
- (ii) Whether the existing system of check-off adopted by the Management of CPCL is in violation of Entry-3 of 5th Schedule of the ID Act?

Point Nos. 1 and 2

5. The matter while stood continuously posted for filing Claim Statement, it was reported on behalf of the Petitioner Union that the General Secretary of the said Union is no more. Though the ID stood again reposted for further steps owing to the eventuality of the death of the General Secretary of the Union, petitioner's counsel filed a memo reporting that the ID is not pressed. The memo is recorded. Accordingly the ID is closed as being not prosecuted.

6. The reference is disposed of as above.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 28th October, 2009).

A. N. JANARDANAN, Presiding Officer

Witnesses Examined :—

For the I Party/Petitioner : None

For the II Party/Management : None

Documents Marked :—

From the Petitioner's side :

Ex.No.	Date	Description
		Nil.

From the Management side:

Ex.No.	Date	Description
		Nil.

नई दिल्ली, 13 नवम्बर, 2009

का. आ. 3318.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मुम्बई पोर्ट ट्रस्ट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-2, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/28/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-2009 को प्राप्त हुआ था।

[सं. एल-31012/16/2001-आई आर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S. O. 3318.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-2/28/2008) of the Central Government Industrial Tribunal/Labour Court No. 2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Mumbai Port Trust and their workman, which was received by the Central Government on 13-11-2009.

[No. L-31012/16/2001-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI**

Present : A.A. LAD, Presiding Officer

Reference No. CGIT-2/28 of 2002

Employers in relation to the Management of Mumbai Port Trust

The Chairman,
Mumbai Port Trust,
Shoorji Vallabhdas Road,
Ballard Estate,
Mumbai-400 038

...First Party

V/s.

Their Workman

Shri Vilas Janrao Ingale,
Mumbai Labour Camp, Bldg. No. 1 (1960)
Room No.4, Dr. Ambedkar Marg,
Matunga, Mumbai-400 019

...Second Party

APPEARANCE

For the Employer : Shri M.B. Anchan, Advocate

For the Workmen : Mr. Abhay Kulkarni and
Mrs. Pooja Kulkarni,
Advocates.

Date of reserving the Award : 2-6-2009.

Date of passing the Award : 16-9-2009.

AWARD - PART I

The matrix of the facts as culled out from the proceedings are as under:

1. The Government of India, Ministry of Labour by its Order No.L-31012/16/2001-IR(M) dated 5th March, 2002 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of Mumbai Port Trust in terminating the services of Sh. Vilas Janrao Ingale, Ex-Security Guard w.e.f.7-2-1998 by way of dismissal is legal and justified? If not, what relief he is entitled to?"

2. Claim Statement is filed by the concerned Workman at Exhibit 7 making out the case that, he joined 1st Party as a Security Guard with effect from 14-10-1982. He states that, he was kept under suspension with effect from 9-10-1992 on the ground of disciplinary proceedings were contemplated, as per order dated 9-10-1992. He further states that, said order of suspension was revoked on 8-2-1994.

3. He states that, charge sheet dated 30-7-1994 alleging charge of committing theft of car which fall under Regulation 3(1) of Bombay Port Trust Employees (Conduct) Regulation, 1976 for not maintaining absolute integrity and devotion to duty and under Regulation 3(7) ibid were levelled against the concerned Workman. Even Police case filed against him. Since Police case was proceeded against him he requested Management not to proceed against him in the departmental enquiry. However, it was not heard by the Management and it proceeded against the concerned Workman along with the criminal case. He states that, said decision taken by the Management to proceed with the departmental enquiry since criminal case was pending against him was not just and proper and could not go on unless he was prosecuted. He states that, departmental enquiry was conducted by the Management against him without following due process of law and as per natural justice. He alleges that,

even finding given by the Enquiry Officer is perverse. He states that Disciplinary Authority merely concurred with finding of the Enquiry Officer and gave show cause notice dated 5-3-1997 calling upon him to show cause as to why penalty of dismissal should not be imposed upon him. He states that by reply dated 19-4-1997 he requested Management that, the penalty of termination cannot be imposed upon him. However Disciplinary Authority vide order dated 7-2-1998 imposed the punishment of dismissal upon him. It is stated that, the 2nd Party preferred an appeal on the said order. However, it was not allowed by the Appellate Authority. He states that, even he filed revision petition which was also not considered.

4. 2nd Party further contents that, by his representation dated 21-2-2000 he raised the industrial dispute and challenged the termination order served upon him with a request for reinstatement. According to him, Enquiry Officer was bias. He states that, enquiry conducted against him was not conducted by following the principles of natural justice. He states that, the finding given by the Enquiry Officer is perverse. He alleges that, action taken of dismissal is not just and proper and require to interfere with the order of reinstatement with benefit of back wages and continuity of service.

5. This is disputed by the 1st Party by filing Written Statement at Exhibit 8 stating and contending that, the concerned Workman was working as Security Guard as Security Guard No.744 in security organization of Mb.P.T. It is stated that, on 1-10-1992 he was posted for duty at Gate No.3, Port Trust Hospital, Wadalla in second shift which starts from 16.00 hrs to 24.00 hrs. It is stated that, Mr. M.J. Bhoir, Assistant Commissioner of Police, who was on night round with 2 constables on 2-10-1992 detained concerned Workman with his accomplices Shri Prakash Narayan Kolare sitting inside Ambassador Car MMB 1457 near Yellow Gate Princess Dock at Mallet Bunder Container Road. It is stated that, on questioning them by the Police they learnt that; car in their possession was stolen one. It is stated that, as a result of that, the concerned workman was booked by the Yellow Gate Police Station. It is stated that, on enquiry Police came to know that, the car was stolen one and complaint was lodged by Shri Anish Jitendra Shah with the Matunga Police Station on 2-10-1992 for theft of the said car possessed by the concerned workman for which complained was lodged for the theft of his said car. It is alleged that, said car the was parked by the owner by the side of the foot path opposite VJIT Hostel at Lady Jehangir Road, Matunga, Mumbai-400 019. It is that, he sent Duty Officer Shri P.I. Kasope PSI to hand over 2nd Party along with the car for further investigation to Matunga Police Station where Shri S.P. Kuber, API and Detection Officer made Panchnama of the said car. It is further alleged that, when concerned workman was personally searched in the presence of Panchas by Matunga Police, they found registration Book of Car No. MMB 1457, one master key, a Savings Bank Pass Book

No. 8738 of Canara Bank and Cheque Book No. 18511 in possession of the concerned Workman. It is stated that, the statement of the concerned Workman was recorded on 3-10-1992 where concerned workman admitted theft of the said car with the help of Shri Kolare, a theft operating in the docks. It is further stated that, a case was registered under C.R. No. 1064/92 u/section 379 and 114 of IPC. It is stated that, both were arrested by Police and were produced before 30th Metropolitan Magistrate's Court, Kurla. It is stated that, the said Kurla Court released them on bail. It is stated that, as such they were in Police custody for 5 days and as per the rules he was suspended from his duty w.e.f. 9-10-1992. It is stated that, subsequently his suspension was revoked on administrative rights to initiate Departmental Enquiry and accordingly he was prosecuted by the Management by conducting departmental enquiry alleging charges of misconduct by committing theft of private car and violating provisions of Regulation 3(1) and 3(7) of Mumbai Port Trust Employees (Conduct) Regulations, 1976 were levelled against the concerned Workman. The concerned workman filed explanation to the charge sheet and denied the charges alleged against him and the departmental enquiry was conducted in 32 days. It is stated that, out of them on 16 occasions the concerned workman remained absent and for 22 days his defence representative was absent. It is stated that, all the witnesses in the case were examined and cross-examined. It is stated that, full opportunity was given to the concerned workman to participate in the enquiry. It is stated that, after recording evidence Enquiry Officer concluded concerned workman guilty of the charges levelled against him. By order dated 20-1-1997 said finding was accepted by the Disciplinary Authority and accordingly a memo was served on the concerned Workman to show cause why penalty of dismissal should not be imposed upon him.

6. It was replied by the concerned workman alleging that, he was arrested by Police on mere suspicion and nothing was found on him. It is stated that, the concerned workman did not involved in the said theft. It is stated that, the Disciplinary Authority after considering his reply to show cause notice decided to terminate the services of the concerned workman, According to 1st Party concerned Workman was defended by his Defence Representative, full opportunity was given to him. It is stated that, after recording evidence and after giving him full opportunity the Enquiry Officer concluded that, the charges levelled against the concerned workman were proved. It is denied that, enquiry was not fair and proper. It is denied that, the finding was not perverse. It is denied that, the Enquiry Officer was bias. It is denied that, the concerned workman cannot be prosecuted by the Disciplinary Authority when criminal case is pending. So it is prayed that, the decision taken by the 1st Party relying on the finding given by Enquiry Officer does not require to interfere and prayer of reinstatement require to rejected.

4233 48/09-27

7. In view of the above pleadings my Predecessor framed Issues at Exhibit 10. Out of them Issue No. 1 and 2 on fairness of enquiry and perversity of finding are taken as preliminary issues which I answer as follows :

Issues	Findings
1. Whether the domestic inquiry conducted against the workman was as per the principles of natural justice?	Yes
2. Whether the findings of the Enquiry Officer are perverse?	No

REASONS:

Issues Nos. 1 & 2:

8. In this case the concerned Workman was prosecuted by the Police under charge of stolen car. Even domestic enquiry was conducted by leveling charge of possessing stolen car. He was suspended on his arrest and then suspension was revoked. Thereafter charge sheet was served upon him, explanation was sought and his said explanation when found not satisfactory, he was prosecuted by holding departmental enquiry where evidence was recorded and finding was given. Said enquiry and finding is challenged by the concerned workman saying that, enquiry was not fair and proper and finding perverse.

9. To show that, 2nd Party placed reliance on his affidavit filed at Exhibit 18, in lieu of his examination-in-chief, where he narrates facts as stated above and states that, enquiry was not fair and proper and finding perverse. However, in cross he admits that, he was served with the charge sheet and documents. He admits that, he replied the charge sheet. He admits that, he was defended by his Advocate Shri Sawant. He admits that, enquiry was completed on 22-8-1996 which was started on 7-11-1994. He admits that, he was served with the show cause notice. He admits that, he was served with dismissal order dated 7-2-1998. He admits that, fair opportunity was given to him to participate in the domestic enquiry. On that Management filed affidavit of its witness Prakashlal Tripathi, in lieu of his examination-in-chief at Exhibit 19, who states that, the concerned workman was appointed as Security Guard with Mumbai Port Trust. He states that, the concerned workman was posted at Gate No. 3 Port Trust Hospital, Wadala on 1-10-1992. He further states that, the Assistant Commissioner of Police Shri M.J. Bhoir who was on night round with 2 constables on 2-10-1992 arrested the concerned workman with his accomplice Shri Kolhare who was sitting in the Ambassador Car No. MMB 1457 near Yellow Gate. He further states that, these 2 were taken by Yellow Gate Police and enquired with them and on that, they learnt that car was stolen and complaint was lodged by Anish Jitendra Shah with Matunga Police Station on 2-10-1992. He further states that, duty officer Shri Kasabee, PSI was sent to hand over them and the car to Matunga Police Station who investigated into it and prosecuted the concerned workman under IPC leveling charge of theft and possessing stolen car leveling charge under Sections 379 and 114 of I. P. C. He further states

that, charge sheet was served on the concerned workman and departmental proceeding was initiated against him. He further states that, full opportunity was given to the concerned workman. He participated in the enquiry with his Defence Representative. According to him enquiry was fair and proper and finding not perverse. In the cross he states that, enquiry was not conducted in English though it was written in English. He states that, he did not know whether the concerned workman was acquitted by the Criminal Court. He states that, he was neither present in the enquiry nor he was witness in the enquiry. He admits that, he has no personal knowledge about the finding given by the Enquiry Officer. On that Management closed its evidence by filing closing purshis at Exhibit 20.

10. Written arguments were submitted by the concerned workman at Exhibit 21 with citations filed at Exhibit 22 which were replied by the 1st Party by filing its written arguments at Exhibit 23. Perused the same and the evidence:

11. Here the concerned workman challenges the enquiry saying that, principles of natural justice were not followed while conducting enquiry and there was no evidence before the Enquiry Officer to conclude concerned workman guilty of the charges levelled against him. It is an admitted fact that, the concerned workman was acquitted by the Criminal Court. However, it does not mean that, he could not be prosecuted under departmental enquiry as happened in the instant case.

12. Here Enquiry Officer placed reliance on the Police report and the investigation done by the Police. It is brought on record that, the concerned workman was arrested by the Police. In search Police recovered R.C. Book, Pass Book of Bank, Cheque Book and some other material which are related with the vehicle. When concerned workman was found in the stolen car and when articles as referred above were recovered from him I feel that, was sufficient for the Enquiry Officer to conclude that, the concerned workman was guilty of the charge of misconduct as levelled against him in the charge sheet. Here one has to note that, it was a departmental enquiry and not an enquiry or investigation done by any legal authority. Besides it is to be noted that, probable or corroborative evidence can apply in the evidence recorded by the Enquiry Officer. Here admittedly the concerned workman was arrested by the Police. Admittedly he was prosecuted by the Police. Though he was acquitted by the Criminal Court, it does not mean that, he got blanket right to say that he was falsely prosecuted in the domestic enquiry also.

13. On has to note that, Police is an independent investigating machinery. It investigated the case of theft of car independently. There was a complaint of the vehicle owner which was possessed by the concerned workman. It may be that, Criminal Court was not having sufficient evidence placed before it but it does not mean that, he was not concerned with it. Indian Evidence Act is not applicable to the domestic enquiry. In domestic enquiry if

some thing is revealed, that is sufficient for such an Enquiry Officer to conclude that the charges levelled against the concerned workman are proved. As stated above, no provision of Indian Evidence Act are applicable to the departmental proceedings. Since the concerned workman was prosecuted and since he faced the criminal trial and record and proceedings reveal that, he was arrested by Police under the charge of theft of car, in my considered view, the finding given by the Enquiry Officer has substance and is just and proper. Besides, the concerned workman admits that, he participated in the enquiry. He admits that, he was permitted to take the help of Advocate to participate the enquiry. He admits that, he was served with charge sheet. He admits that, fair opportunity was given to him to participate in the domestic enquiry. When all that is there and when he was arrested by the Police and prosecuted in my considered view, that is sufficient for the Enquiry Officer to reply and conclude that, charges levelled against the concerned workman were proved.

14. The citation referred by the 2nd Party published in 2008 II CLR page 77 (Bombay High Court) in the case of Pandit Ladaku Patil v/s National Organic Chemicals (RCD) Ltd. and Ors. is on different footing and does not apply in the instant case. Even same can be observed about citation referred by the 2nd Party published in 2000 LAB. IC page 3754 (Madras High Court) in the case of A.S. Moorthy v/s. Director General, CISFCGO and Ors.

15. So taking into consideration the case made out by both, I conclude that, the enquiry was fair and proper and finding not perverse. Accordingly I answer the above issues and passes the following order :

ORDER

- (1) Enquiry is fair and proper;
- (2) Finding of the Enquiry Officer not perverse;
- (3) Both the parties to participate on the quantum of punishment;

Bombay, 16-9-2009 A. A. LAD, Presiding Officer
नई दिल्ली, 13 नवम्बर, 2009

का. आ. 3319.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एच. पी. सी. एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 2, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/28/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-09 को प्राप्त हुआ था।

[सं. एल-30012/2/2003-आई आर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S. O. 3319.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-2/28/2003) of the Central Government Industrial Tribunal/Labour Court No.-2, Mumbai now as shown in the Annexure in the Industrial Dispute between employers in relation to the the management of HPCL and their

workman, which was received by the Central Government on 13-11-2009.

[No. L-30012/2/2003-IR (M)]

KAMAL BAKHRU, Desk Officer
ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, MUMBAI PRESENT

A.A. LAD, Presiding Officer

Reference No. CGIT-2/28 of 2003

Employers in relation to the Management of Hindustan Petroleum Corporation Ltd.

The Chief Installation Manager,
Hindustan Petroleum Corporation Ltd.
Lube Plant-I, Haybunder Road,
Mumbai-400 038

... First party

V/s.

Their Workmen

Shri B.B. Yadav,
Naavneet Nagar, Chawl No. 2, R. No. 5,
Near Birla College,
Kalyan, District Thane

... Second Party

APPEARANCE

For the Employer : A.G. Nagvekar, Advocate

For the Workmen : Mr. J.H. Sawant, Advocates.

Date of passing the Award : 8-09-2009

AWARD PART II

The matrix of the facts as culled out from the proceedings are as under :

1. The Government of India, Ministry of Labour by its Order No. L-30012/2/2003-IR(M) dated 21-5-2003 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :

“Whether the action of the Management of Hindustan Petroleum Corporation Ltd., Lube Plant No.1, Mazagaon, Mumbai by illegally terminating the services of Sh. B.B. Yadav w.e.f. 4-04-2002 is justified? If not, what relief the workman Shri B.B. Yadav is entitled to?”

2. Claim statement is filed by the concerned workman at Exhibit 7 and Written Statement by the 1st Party at Exhibit 8. Issues were framed at Exhibit 14 and Award Part I was passed on 12th March, 2009 holding finding not perverse.

3. Reference was kept for recording evidence on the point of action taken by 1st Party. However, 2nd Party by Exhibit 21 informed that, he do not want to proceed with the Reference. Hence, the order :

ORDER

In view of Exhibit 21 Reference is disposed off for want of prosecution.

Bombay,

8th September, 2009.

A. A. LAD, Presiding Officer

EXB. NO. 21
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, MUMBAI
Reference No. CGIT, 2/28 of 2003

HPCL

... First Party

Vs.

The workman, B. B. Yadav ... Second Party

Application for disposal of the reference for want of prosecution

MAY IT PLEASE YOUR HONOUR

The Second Party hereby prays that the Hon'ble Tribunal may be pleased to dispose of the reference as the Second Party is not interested in prosecuting the proceedings.

Sd/-

Mumbai

(B. B. Yadav)

Dated : 8-9-2009

Second Party

Sd/-

(Illegible)

नई दिल्ली, 13 नवम्बर, 2009

का.आ. 3320.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं सी. पी. डब्ल्यू. डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नागपुर के पंचाट (संदर्भ संख्या 72/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-2009 को प्राप्त हुआ था।

[सं. एल-42012/130/2003-आईआर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 13th November, 2009

S.O. 3320.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 72/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur now as shown in the Annexure in the Industrial Dispute between the management of Central Public Works Department and their workmen, received by the Central Government on 13-11-2009.

[No. L-42012/130/2003-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE SHRI A. N. YADAV, PRESIDING
OFFICER, CGIT-CUM-LABOUR COURT,
NAGPUR

Date 26-10-2009

Case No. CGIT/NGP/72/2004

Petitioner/
Party No. 1 Shri J. S. Sudame, Secretary,
All India CPWD (MRM) Karmachari
Sanghathan, Takli seem Hingna Road,
Post-Jaitala, Nagpur. (on behalf of
Shri Rizwan Khan)

Versus

Respondent/
Party No. 2 The Executive Engineer,
Central Public Works Deptt.
(Electrical), Bungalow No. 17/B,
Civil Lines, Nagpur

AWARD

(Dated : 26th October, 2009)

1. The Central Government after satisfying the existence of dispute between Shri J.S. Sudame, Secretary,

All India CPWD (MRM) Karmachari Sanghathan, Nagpur (on behalf of Shri Rizwan Khan) (Party No. 1) and the Executive Engineer, Central Public Works Deptt., (Electrical), Bungalow No. 17/B, Civil Lines, Nagpur (Party No. 2) referred the same for adjudication to this Tribunal. vide its letter No. L-42012/130/2003-IR(CM-II) dated 2-8-2004 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947). The Ministry initially send the reference by its letter dt. 2-8-2004. However, later on it has issued a corrigendum vide letter dt. 17-11-2005 correcting its earlier scheduled. The corrected scheduled is as follows.

2. "Whether the contract between the management of CPWD, Nagpur and their contractor M/s Agrawal Electrical Services was sham and camouflage, if so the demand of All India CPWD (MRM) Karmachari Sangathan, Nagpur for reinstatement and regularization of Sh. Rizwan Khan, Wireman in the establishment of CPWD is legal and justified and to what benefit he is entitled to?"

3. Heard the counsel for the Petitioner. Nobody appeared for the respondent. The Petitioner has prayed to reinstate and regularize his services from the date of his initial appointment with consequential relief with the full back wages. It is the case of Petitioner Shri Rizwan Khan that he was employed as a Wireman w.e.f. 12-2-1999 and his services were illegally terminated with the malafide intension on 1-1-2003. He had worked for more than 240 days in every year and thus he is in continuous service since 1999. Notice pay was not given to the workman at the time of termination of his service. No seniority list was maintained. It has violated the provision of Section 25(g) and (h) of ID Act. Currently he is out of employment and he has prayed as indicated above. Undisputedly, the Petitioners were engaged through contractor. They were the employees of the contractor. In view of the principles reported in Umadevi's case, it is clear that the management or employer can employ any workman on the contract basis, directly or indirectly. Admittedly they were engaged through contractor this itself indicate that they were the employees of the contractor. Therefore, there is no question of regularization when they were not at all the employees of the management CPWD.

4. Moreover, the contractor is not a party to the proceedings. Unless he is impeded as a party, there is no question of paying any compensation as per the provision of Section 25F and G. Similarly, when they are not the employees of the CPWD, they cannot be either reinstated or their service cannot be also regularized. Hence, the Petitioner is not entitled for the relief as prayed. The reference will have to be answered in negative. Accordingly, I pass the negative award that the Petitioner is not entitled for any relief. Hence, the claim stands as rejected.

A. N. YADAV, Presiding Officer

Date : 26-10-2009

नई दिल्ली, 16 नवम्बर, 2009

का. आ. 3321.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार त्रिवेन्द्रम एयरपोर्ट ऑथोरिटी ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, इर्णाकुलम के पंचाट (संदर्भ सं. 151/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-09 को प्राप्त हुआ था।

[सं. एल-11011/16/2002-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 16th November, 2009

S. O. 3321.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 151/2006) of the Central Government Industrial Tribunal/Labour Court, Ernakulam now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Trivandrum Airport Authority of India and their workman, which was received by the Central Government on 16-11-09.

[No. L-11011/16/2002-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present: Shri P.L. Norbert, B.A., LL.B. Presiding Officer (Friday the 16th day of October, 2009/24th Asvina, 1931)

I.D. No. 151/2006

Workman : Sh. K.Prasad, T.C. No. 34/1129 (New TC No. 78/2468), Sree Chitra Nagar, Near Airport, Vallakadavu P.O., Trivandrum.

By Adv. Shri Anil Narayan

Management: 1. The Airport Director, Trivandrum Airport Authority of India (NAD), Trivandrum International Airport, Trivandrum - 695 008
2. M/s. R. K. Electricals, Mr. Sajith, Proprietor, PRA-53, Puthupally Lane, Medical College P.O., Trivandrum - 695 001
3. M/s. New Electricals, Sh. P. Balakrishnan, Proprietor, Sivachithanya, Kadakkal Lane, Kannamoola P.O., Trivandrum-695001.

M1 - By Adv. Shri V. Santharam

M2 -

M3 - By Adv. Shri Ajith Prakash.

This case coming up for hearing on 05-10-2009, this Tribunal-cum-Labour Court on 16-10-2009 passed the following:

AWARD

1. This is a reference made under Section 10(1)(d) of Industrial Disputes Act. The reference is:

"Whether the demand of Shri K. Prasad, an Electrician/ Wireman worked as a contract labour in the establishment of Airport Authority of India, Trivandrum Airport, International Airport Division, Trivandrum through the contractors (1) Shri Sajith, Proprietor, M/s. R.K. Electricals, Contractors and Suppliers, Chackai, Trivandrum and (2) Shri P. Balakrishnan Nair, Proprietor, Kannamoola P.O., Trivandrum-11 for regularization as a Electrician/ Wireman, Airports Authority of India, Trivandrum Airport, Trivandrum with retrospective effect from 01-03-94 is justified (i) Whether the contract entered into between one M/s. R.K. Electricals and (ii) M/s. New Electricals, Contractors and the management of Airports Authority of India, Trivandrum Airport, Trivandrum was genuine or a sham contract? If so, to what relief the worker concerned is entitled to?"

2. The facts of the case in brief are as follows:—

Shri K. Prasad was an Electrician-cum-Wireman. According to him he entered into service of International Airport Authority of India, Trivandrum as contract labourer on 1-5-1991 in the electrical wing for work of installation, repair and maintenance of electrical fittings. He worked as such till 28-02-1994. There were similar 23 other workers. All of them were controlled and supervised by Airport Director, Trivandrum. The workman completed 240 days of continuous service during a calendar year. He worked for a period of 33 months until he was denied employment by Airport Authority. Meanwhile he had made representation to the 1st management for absorption. Instead of considering his request he was denied employment on 28-02-1994 onwards. He filed O.P. 4507/1997 before the Hon'ble High Court of Kerala for absorption and attendant benefits. The Central Government by notification dated 16-11-1999 under Section 10 of Contract Labour (Regulation and Abolition) Act, 1970 prohibited contract labour in electrical wing of Airport Authority. The electrical service in Trivandrum Airport is an integral part of functioning of Airport and the work is perennial in nature. While the Writ Petition filed by the worker as well as other workers were pending, the Hon'ble Supreme Court decided the Steel Authority of India Case. In the light of that decision the Hon'ble High Court of Kerala disposed of the OP of the worker directing him to approach Industrial Tribunal. Hence, this dispute. The contract between the 1st management and managements 2 and 3 is sham and a camouflage to deny benefits to the worker. The workman is entitled to be reinstated, absorbed and confirmed with all consequential benefits.

3. The first management in their written statement contended that there is no master-servant relationship between the claimant and the 1st management. There is no notification prohibiting contract work in electrical division of Trivandrum Airport under authority and hence this court has no jurisdiction to entertain the dispute. There were contracts in electrical department during 1991. When Airport Authority of India was taken over by International Airport Authority of India the existing contracts for maintenance of electrical installations and equipments were allowed to be continued as a stopgap arrangement. However, it is not correct to say that the claimant was controlled and supervised by Airport Director. Since he was only a contract worker he has no right for absorption under Airport Authority. All the Writ Petitions filed by contract workers were dismissed by Hon'ble High Court of Kerala in the light of the decision in SAIL's case, (2001) 7 SCC 1. Notification of 1999 under Section 10 of CLRA Act was quashed by Delhi High Court and was confirmed by Hon'ble Supreme Court. Hence there is no prohibition of contract labour in the electrical wing of Airport. At present no contract labours are engaged for the alleged work. The nature of the work is not perennial and it is not essential part of the functioning of International Airport, Thiruvananthapuram. Normally labourers are taken through employment exchange. The claimant is not entitled for any preferential claim or absorption. There is neither appointment nor termination by Airport Authority.

4. The 2nd management, M/s. R.K. Electricals filed a separate written statement contending that there was a contract for carrying out day-to-day electrical repair works in Trivandrum Airport. However, the period mentioned in the claim statement relates to a subsequent period during which there was no contract between the 1st management and the 2nd management and hence the 2nd management is not aware of the contentions in the claim statement.

5. The 3rd management M/s. New Electricals in their written statement contended that they had contract with International Airport Authority till 1994 and there were several contract workers. The claimant might have worked under New Electricals. The 3rd management is not aware of the rest of the contentions in the claim statement.

6. In the light of the above contentions the following points arise for consideration :

1. Are the contracts sham or genuine?
2. Is the claimant entitled for reinstatement and absorption?

7. The evidence consists of the oral testimony of WWS.1 and 2 and the documentary evidence of Exts. W1 to W-57 on the side of the claimant and MW1 and Exts. M1 to M-20 on the side of the management.

8. **Point Nos. 1 & 2:—** It is an admitted fact that the workman Sri. K. Prasad was working in the Trivandrum

Airport as Electrician. According to the workman he worked there from 01-05-1991 to 28-02-1994 for 33 months. But he admits that he entered service as contract labourer and there were similar other 23 contract workers in the electrical wing. But he contends that though he entered the service through contractor he was treated like a direct employee by International Airport Authority of India, Trivandrum and the so called contract is not a genuine one but a camouflage to deny benefits to workers. The contractors, managements 2 and 3 though filed written statement they have not stated anything about the nature of the contract. Their contention is that they had taken up contracts with International Airport Authority during the period 1991-94. According to the management the repair and maintenance work in the electrical division of the Airport Authority was given on contract and it is genuine.

9. It is relevant to note that the workman has no consistent case regarding his employment. He seems to adapt pleadings suitable to the situation. Ext. M1 is copy of O. P. 4507/1997 filed by the claimant before the Hon'ble High Court of Kerala. There the contention is that he was a contract labourer engaged by M/s. R.K. Electricals and New Electricals to work in the International Airport Authority of India, Trivandrum (IAAI), in the electrical wing, that there was a notification by the Central Government under Section 10 of Contract Labour (Regulation and Abolition) Act, 1970 prohibiting contract work in sweeping, cleaning, dusting and watching buildings owned and occupied by Central Government establishments, that there is no justification for excluding the job of electrical/wiring work from the purview of the notification and that exclusion of electrical work from the notification is discriminatory and violative of the fundamental right of equality guaranteed under A-14 of the Constitution. The relief sought in the O. P. was to direct the Central Government to include electrical/wiring and maintenance work in the 1976 notification and also to direct Airport Authority to absorb the contract labour (23 workers).

10. Ext. P2 in Ext. M1 is a statement filed before Assistant Labour Commissioner (C) claiming pay parity with the regular workers in the electrical wing of Airport Authority. The claim petition before the Assistant Labour Commissioner was moved by the Union. It is contended that the 23 workers are contract labourers defined under CLRA Act. The 2nd and 3rd managements in Ext. P2 in Ext. M1 are contractors and the first management is the principal employer. It is stated in para 3 that both contractors had engaged 23 workers on the basis of licences obtained by them from competent authority under the Act. Resorting to different provisions of CLRA Act and the Central Rules 1971 (especially Rule 25) the union claimed before ALC that the contract workers were entitled to get wages which is not less than rates prescribed under Minimum Wages Act. The rule provides that the contract workers, who are doing the same or similar kind of work as direct employees of the principal employer, are entitled to

get the same rate of wages, holidays, hours of work and other conditions of service of direct employees. However the contractors were not paying wages and other benefits accordingly. The rule provides that when the contractor fails to pay wages as mentioned above the principal employer is bound to pay such wages with arrears. Hence the Assistant Labour Commissioner was requested to conciliate and persuade the management to pay arrears of wages after fixing the wages in accordance with Rule 25. Ext. W-11 is a notice of Labour Enforcement Officer (Central) to M/s. New Electricals directing them to reply to the request of the workman and other workers for payment of wages in accordance with Rule 25 of CLRA Rules, 1971. This was the position until 1997.

11. It appears that O.P. 4507/97 was filed on the basis of the judgment in *Air India Statutory Corporation v. United Labour Union* (1997) 9 SCC 377 wherein it was held that on publication of notification under Section 10 of CLRA Act prohibiting contract labour in any category the contract labour would automatically become employees of the principal employer. The attempt of the worker in the O.P. was to get the prohibition notification extended to Electrical wing and seek absorption as per the decision in *Air India Statutory Corporation case*. But before the O.P. was finally taken up for decision the verdict in *Steel Authority of India Ltd. v. National Union Water front workers* (2001) 7 SCC 1 came out. The constitution bench over ruled prospectively the decision in *Air India Statutory Corporation case*. On the basis of the decision in *Sail's case* O.P. was disposed of by High Court on 03-10-2001 by Ext. W-54 judgment leaving the parties to work out their remedies on the basis of the decision in *Sail's case*. Thereafter a claim was made before the Assistant Labour Commissioner, Trivandrum by the workman on 14-03-2002 and it is Ext. W-5. There it is contended that though he entered service as contract labour he was supervised and controlled by the Director of Airport and the contract is sham and he is entitled to be reinstated and absorbed. On failure of the conciliation the reference was made. In the claim statement filed before this court it is contended that though he entered service as contract labourer the contract is sham and he is really an employee of the Airport Authority. It is observed in *Sail's case* that if the contract is found to be not genuine but a mere camouflage the so-called contract labour will have to be treated as employees of the principal employer and shall be directed to regularise the service of such contract labour by the principal employer [para 125(5) of the decision]. With this in mind the pleadings were shaped in this case. That is how the contention regarding sham contract is taken up. But a person who accuses the management for entering into sham contracts, cannot be dishonest in his own pleadings. He is chopping and changing his stand suitable to the occasion. Having fought a losing battle in the previous round of litigations he has come up with a new plea of sham contract to reap the benefit of the decision in *Sail's case*. The inconsistency in his plea shakes the very foundation of his case. But assuming that the plea of

sham contract is permissible, then the question that is posed for consideration is whether the contract is factually and really sham.

12. The Hon'ble supreme Court in *workmen of Nilgiri Co-operative Marketing Society Ltd. v. State of T.N. and Others* (2004) 3 SCC 514 has laid down the test to know the nature of the contract. In para 37 it is observed as follows:-

"The control test and the organization test, therefore, are not the only factors which can be said to be decisive. With a view to elicit the answer, the court is required to consider several factors which would have a bearing on the result: (a) who is the appointing authority; (b) who is the paymaster; (c) who can dismiss; (d) how long alternative service lasts; (e) the extent of control and supervision; (f) the nature of the job e.g. whether it is professional or skilled work; (g) nature of establishment; (h) the right to reject".

13. There is admittedly neither an appointment order nor a termination order issued to the workman by the principal employer. The pleading of the worker is that he entered service initially through contractor. Therefore the 1st Management is not the appointing authority.

14. However it is contended by the workman that he was supervised and controlled by the Director of the Airport as well as other regular employees of the Airport. The workman was examined as WW1. According to him he was supervised and controlled by Assistant Engineer by name Thankappan initially and thereafter by regular workers of the electrical section by name Bhamadevan, Mohanan and Shaji. But neither the Assistant Engineer nor the other regular workers are summoned to support the case of the workman. There is only the ipse dixit of workman. He has also not summoned any of the contractors to say that none of their men had controlled or supervised him. No doubt MW1, the Manager of Electrical Wing of IAAI has no knowledge about the supervision and control as he was in Bombay Airport during the relevant time (1991—94). But the burden is on the workman to prove the fact of supervision and control. It was submitted by the learned counsel for the workman that to support the contention regarding control and supervision the attendance register and log book were summoned from the custody of the principal employer. But they were not produced. It is to be noted that the case of the principal employer is that they have no direct relationship with the workman. He was an employee of the contractor. They filed an affidavit stating that the attendance register log book, wage register etc. are in the custody of contractors and not with the principal employer. In view of this stand of the principal employer, the workman could have summoned at least one of the contractors or called for the above documents from their custody. If in fact, the worker was a contract labourer naturally the principal employer

would not maintain attendance register and log book regarding him and his work. The burden is on the workman to prove that he was really supervised and controlled by the officers of principal employer. His own statement will not be sufficient to prove that fact.

15. It is admitted by WW 1 that wage was paid by contractor (page 30 of WW1). Ext. W-11 also supports the case of the management that wage was paid by contractors and not by principal employer. Thus the pay master was the contractor.

16. According to WW 1 the disciplinary authority was the Airport Authority. He says that disciplinary action was taken against one Krishnan Thampi. But other than his own statement neither Krishnan Thampi is summoned nor any record of disciplinary action is called for to prove the contention. He has not given details of charge and the nature of the punishment imposed on Krishnan Thampi. A sweeping statement regarding some action is not sufficient. According to the workman leave applications were submitted to Assistant Engineer of Airport Authority. But there are no records to prove it. Not even a copy of leave application is produced by the workman.

17. The nature of the work done by the workman is skilled. There can be no dispute that electrical repair and maintenance work in the Airport is essential part of the work of Airport for the smooth functioning of the Airport and hence it is a work of perennial nature. But that does not necessarily mean that no contract labour were engaged. There is no harm in continuing to engage contract workers till contract labour is prohibited by notification u/s. 10 of CLRA Act.

Thus none of the contentions of the workman can stand the test of sham contract laid down in Nilgiri case.

18. It is lastly contended by the learned counsel for the workman that there is no registration under Section 7 of CLRA Act during the period 1991-94 enabling the principal employer to engage contract labour. Ext. W-16 is registration certificate issued by competent authority on 22-3-1996. But the workman was in service from 1-5-1991 to 28-2-1994 and there was no registration during that period. Hence it is argued that there could be no valid contract during that period. Therefore the workman is to be treated as an employee of the principal employer and absorbed.

19. S. 7 of CLRA Act says that the contravention of any provision of the Act is punishable under Section 23 of the Act. S. 9 says that no principal employer shall employ contract labour without registering the establishment within the time fixed for that purpose. The violation of S. 9 is punishable under Section 23 of the Act. It is observed in *Dena Nath V. National Fertilizers Ltd.* (1992) 1 SCC 695 that non registration by principal employer under the Act will not mean that contract labour engaged shall be deemed to be direct employees of the principal employer. It is also observed in *Sail's case* para 105 that the consequence of violation of S. 7 and 12 of CLRA Act is explicitly provided in S. 23 and 25 of CLRA Act and court cannot substitute for penal consequences specified in S. 23 and 25 by a

different sequel by absorption of contract labour by principal employer or by a lesser or harsher punishment. The relevant portion reads :—

“The principle that a beneficial legislation needs to be construed liberally in favour of the class for whose benefit it is intended, does not extend to reading in the provisions of the Act what the legislature has not provided whether expressly or by necessary implication, or substituting remedy or benefits for that provided by the legislature.....

Admittedly, when the concept of automatic absorption of contract labour as a consequence of issuing notification under S. 10 (1) by the appropriate Government, is not alluded to either in Section 10 or at any other place in the Act and the consequence of violation of Sections 7 and 12 of the CLRA Act is explicitly provided in Sections 23 and 25 of the CLRA Act, it is not for the High Courts or this Court to read in some unspecified remedy in Section 10 or substitute for penal consequences specified in Section 23 and 25 a different sequel, be it absorption of contract labour in the establishment of principal employer or a lesser or a harsher punishment. Such an interpretation of the provisions of the statute will be far beyond the principle of ironing out the creases and the scope of interpretative legislation and as such, clearly impermissible.”

Besides proviso to S. 7 stipulates that the registering officer may entertain any application for registration after the expiry of the period fixed for registration under Section 7th if sufficient cause is shown. Therefore the fact that there is no registration during the period from 1991 to 1996 does not by itself give an indication that the contracts of that period are sham. Though the principal employer has taken up a contention in the written statement that till the International Air Port Authority started functioning in full swing the prior contract of Air Port Authority was continued as a stopgap arrangement, the same is not substantiated.

20. Though contract labour in the electrical wing of International Airport Authority of India is prohibited under Section 10 of CLRA Act as per Ext. W-8 notification dated 16-11-1999, Ext. M-20 and M-19 orders of Hon'ble Delhi High Court and Hon'ble Supreme Court in Special Leave petition reveal that the notification was quashed by Delhi High Court and it was confirmed by Supreme Court. In the 1976 notification, work in electrical division was not included. Hence there is no prohibition of contract labour in the electrical wing unlike contended by the workman.

In the light of the reasons aforesaid I hold that the contracts are genuine and the workman was only a contract worker under different contractors and he is not entitled for absorption or reinstatement by the principal employer. It is held in *Sail's case* para 125 (6) that if the contract is found to be genuine and there is prohibition notification under Section 10 of CLRA Act and if the principal employer intends to employ regular workmen the erstwhile contract labour shall be given preference, if necessary, by relaxing the conditions with regard to age, academic qualifications etc. So far as the present case is concerned since there is no notification prohibiting contract labour the workman is

not entitled for preferential treatment in employment. Since he was only a contract labour when the period of contract came to an end his work also came to an end.

In the result an award is passed finding that the demand of the workman Shri K. Prasad for regularization as Electrician/Wireman by Airport Authority of India, Trivandrum is not legal or justified, that the contract entered in to between Ms. R. K. Electricals and M/s. New Electricals and management of Airport Authority of India is genuine and that he is not entitled for any relief.

The award will come into force one month after its publication in the official gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 16th day of October, 2009.

P. L. NORBERT, Presiding Officer

Appendix

Witness for the Workman

WW1 — 24-5-2007 K. Prasad
WW2 — 27-4-2009 Shibu Robert

Witness for the Management

MW1 — 27-7-2009 Sanjeev Menghal

Exhibits for the Workman

W1 — Temporary permit to Sri. Prasad for the period 16-2-1993 to 2-3-1993.
W2 — Request of New Electricals to Manager, IAAI, Trivandrum Airport to issue temporary pass to Prasad w.e.f. 25-12-1993.
W3 — Certificate issued by R. K. Electricals to Prasad.
W4 — Appointment Order issued by R. K. Electricals to Prasad.
W5 — Statement of claim before ALC, Tvm. by Prasad on 14-3-2002.
W6 — Counter Statement of Management dtd. 19-4-2002.
W7 — Minutes of Conciliation dtd. 12-9-2002.
W8 — Government notification dated 16-11-1999.
W9 — Application of Prasad on 11-8-2007 for post of Junior Attendant (Engg.-Electricals).
W10 — Representation to consider for preferential consideration over ad-hoc employees in view of Sail's case.
W11 — Notice of Labour Enforcement Office to M/s. New Electricals regarding reply to request of Prasad & Ors. to pay wages.

W12 — Letter of Public Information Officer to Prasad asking to pay application fee and copying charges for getting information.
W13 — Information furnished.
W14 — Gazette notification regarding functioning of IAAI w.e.f. 1-1-1991.
W15 — Minutes of 94th meeting of IAAI.
W16 — Certificate of Registration dated 22-3-2002.
W17 — Letter of Executive Engineer dated 26-11-1992 to Jelitta Co. for paper publication.
W18 — Press Notification.
W19 — Office note issued by Sr. Personnel Manager dated 17-2-1995.
W20 — Office note issued by Executive Engineer dated 21-2-1995.
W21 — Details of power supply.
W22 — Details of direct Electrical Employees.
W23 — Cash receipt.
W24 — Letter of PIO to Prasad dated 23-1-2009.
W25 — Letter of PIO to Prasad dated 30-1-2009.
W26 — Acknowledgement Card.
W27 — Application dated 11-3-2009 for information under RTI Act.
W28 — Reply to W-27.
W29 — Letter of PIO to worker dated 15-4-2009.
W30 — Cash Receipt.
W31 — Letter of PIO dtd: 8-4-2009 to workman.
W32 — Letter dtd. 2-4-2009 of General Manager (Law).
W33 — Letter of PIO.
W34 — Copy of judgment in OP 39071/01 of Hon'ble High Court.
W35 — Order of Deputy Chief Labour Commissioner dtd: 30-4-2001.
W36 — Letter dated 5-8-1992 sent to Airport Director by another worker.
W37 — Joining report of another worker to Director.
W38 — Joining report of another worker to Director.
W39 — Office Order of Airport Authority dtd. 10-8-1992.

W40	—	Office Order of Airport Authority dtd. 1-5-1997.	M7	—	Agreement No. 28/EE(E) AMD(E)/TVM/ 92-93 between I.A.A.I. and M/s. R. K. Electricals (Original).
W41	—	Contract Agreements.	M8	—	Agreement No. 15/EE(E) AMD(E)/TVM/ 92-93 between I.A.A.I. and M/s. R. K. Electricals (Original).
W42	—	do	M9	—	Agreement No. 8/EE(E) AMD(E)/TVM/ 92-93 between I.A.A.I. and M/s. R. K. Electricals (Original).
W43	—	do	M10	—	Agreement No. 1/AMSD(E)/TVM/ 92-93 between I.A.A.I. and M/s. New Electricals (Original).
W44	—	do	M11	—	Agreement No. 6/EE(E) AMED/TVM/ 92-93 between I.A.A.I. and M/s. New Electricals (Original).
W45	—	do	M12	—	Agreement No. 1/EE(C) AMD(E)/TVM/ 91-92 between I.A.A.I. and M/s. R. K. Electricals (Original).
W46	—	do	M13	—	Agreement No. 32/EE(E) AMD(E)/TVM/ 92-93 between I.A.A.I. and M/s. R. K. Electricals (Original).
W47	—	do	M14	—	Agreement No. 27/EE(E) AMD(E)/TVM/ 92-93 between I.A.A.I. and M/s. New Electricals (Original).
W48	—	do	M15	—	Agreement No. 36/EE(E) AMD(E)/TVM/ 92-93 between I.A.A.I. and M/s. New Electricals (Original).
W49	—	do	M16	—	Agreement No. 9/EE(C) AMD(E)/TVM/ 91-92 between I.A.A.I. and M/s. New Electricals (Original).
W50	—	Letter of officer of ALC(C) dtd. 3-4-2008 furnishing information to Prasad under RTI Act.	M17	—	Agreement No. 11/EE(C) AMD(E)/TVM/ 91-92 between I.A.A.I. and M/s. R. K. Electricals (Original).
W51	—	Application to ALC u/RTI Act for information dtd. 15-3-2008.	M18	—	Agreement No. 6/EE(C) AMD(E)/TVM/ 91-92 between I.A.A.I. and M/s. New Electricals (Original).
W52	—	Letter of Deputy Labour Officer to Prasad dtd. 12-12-1994 asking him to meet the officer.	M19	—	Order of Supreme Court dismissing Special Leave Petition.
W53	—	Judgment in OPs 3169, 13606/94 and 196/ 95 and 1757/99 of A.C.	M20	—	Judgment of Delhi High Court (DB) in LPA No. 530/2002 confirming single Bench Judgment quashing notification of 16-11-1999.
W54	—	Counter affidavit of Management in OP 4507 of Hon'ble High Court.			
		Exhibits for the Management			
M1	—	Certified copy of the Original Petition 4507/97.			
M2	—	Agreement No. 46/EE(E) AMED/TVM/ 93-94 between I.A.A.I. and M/s. R. K. Electricals (Original).			
M3	—	Agreement No. 32/EE(E) AMED/TVM/ 93-94 between I.A.A.I. and M/s. New Electricals (Original).			
M4	—	Agreement No. 38/EE(E) AMED/TVM/ 93-94 between I.A.A.I. and M/s. New Electricals (Original).			
M5	—	Agreement No. 48/EE(E) AMED/TVM/ 93-94 between I.A.A.I. and M/s. R. K. Electricals (Original).			
M6	—	Agreement No. 22/EE(E) AMED/TVM/ 93-94 between I.A.A.I. and M/s. R. K. Electricals (Original).			